

MINUTES OF THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF CHATHAM COUNTY, GEORGIA, HELD ON FRIDAY, MARCH 27, 2009, IN THE COMMISSION MEETING ROOM ON THE SECOND FLOOR OF THE CHATHAM COUNTY COURTHOUSE, LEGISLATIVE AND ADMINISTRATIVE BUILDING, 124 BULL STREET, SAVANNAH, GEORGIA.

I. CALL TO ORDER

Chairman Pete Liakakis called the meeting to order at 9:35 a.m., Friday, March 27, 2009.

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II. INVOCATION

Commissioner David Gellatly gave the Invocation.

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III. PLEDGE OF ALLEGIANCE

Commissioner James Holmes led the Pledge of Allegiance to the Flag of the United States of America.

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IV. ROLL CALL

The Clerk called the roll.

Present: Pete Liakakis, Chairman
 Dr. Priscilla D. Thomas, Vice Chairman, District Eight
 B. Dean Kicklighter, Chairman Pro Tem, District Seven
 Helen L. Stone, District One
 James J. Holmes, District Two
 Patrick Shay, District Three
 Patrick K. Farrell, District Four
 Harris Odell, Jr., District Five
 David M. Gellatly, District Six

Also present: Russell Abolt, County Manager
 Jonathan Hart, County Attorney
 Sybil E. Tillman, County Clerk

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YOUTH COMMISSIONERS

The Chatham County Youth Commission was represented by Kathryn Pinckney, a Senior at Groves High School, and Priscilla Peay, a Senior at St. Andrew's.

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V. PROCLAMATIONS AND SPECIAL PRESENTATIONS

None.

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VI. CHAIRMAN'S ITEMS

None.

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VII. COMMISSIONERS' ITEMS**1. CHATHAM COUNTY YOUTH COMMISSION'S 2009 ANNUAL TRIP REPORT
(COMMISSIONER THOMAS).**

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, thank you, Mr. Chairman, and members of the Commission and ladies and gentlemen, we had a very successful trip again this year to Washington and beyond and then back. And here to give us a brief synopsis this morning will be our Director, Mr. Van Johnson, followed by the two representatives who will be giving their report.

Mr. Van Johnson said, thank you so much, Dr. Thomas. Mr. Chairman, ladies and gentlemen, we are so excited and we want to thank you again for providing our young people with an opportunity to again traverse up the northeast United States coast for what will be described as a once in a lifetime experience that you have been able to provide for them for now the last 11 years through the Chatham County Youth Commission. This was a challenging trip, as it always is now when you are taking 40 or so unrelated young people up many, many miles and making them be roommates with people that they may not have ever roomed before and taking them places they've never seen before, and then of course always someone will end up running out of money, and of course the ATM machines are a little too far away. But you've been able to help before this opportunity. It was a wonderful time and we certainly cannot say thank you to you enough for your vision. Certainly, NACo knows us. This is our 11th year as being the only young — youth organization in the country that had an opportunity to be at this conference. They attended the conferences that your colleagues attended and I think that they are definitely a highlight of the conference as people are just excited about these young people being here and certainly Dr. Thomas will tell you of the many inquiries we get from people throwing us their business cards and saying we want to know more about what you're doing in Chatham County, and I'll submit to you that we have gotten reports of several entities.. Most recently I heard was DeKalb County actually rolling out their youth commission this month and it is based on our model.

Certainly Dr. Thomas, who is our road warrior, we thank her so much because she sits in the front seat of the bus. She never sleeps although most of us do, and it just feels good knowing that Dr. Thomas and the bus driver are both up. We certainly thank our County Manager Russ Abolt, the Human Resources and Services Department, Coastline Travel, Savannah Communications which donates our communications equipment, the entire WSAV Coastal Sunrise family, as you know they chronicle our trip every morning while we're gone, Karen Neubauer at Four Seasons Travel, who helps us with our accommodations, and the principals, the administrators, the teachers who excused these young people, who give them extra work to do during the 102 hours we are away from Savannah, and most importantly the parents of these outstanding young people. I certainly think you provide them an opportunity that they will enjoy for many, many years to come.

Mr. Johnson said, I would be remiss if I did not mention my staff: Debra Allen, Takiyah Martin, Marilyn Rodrigez, and our graduate advisors, ZaDonna Slay, Taqwaa Saleem and John Hawkins, who rode with us, who worked with us, and again helped us to reveal character in these outstanding young people and, as you know, the good news just keeps going on and on, and I'm just very happy to know that in these very, very challenging economic times that we are preparing a corps of leaders that are prepared, that are ready to take this nation by storm, and be able to create positive change in our community.

We have with us this morning Kathryn Pinckney and Priscilla Peay, who will share their prospectives of this trip.

Youth Commissioner Kathryn Pinckney said, on behalf of Chatham County Youth Commission we want to thank each of you for making this trip possible. Thank you, Dr. Thomas, for having the vision that provided us with the

opportunity. This was the third trip for both of us, Priscilla [Peay] and I, and I know Priscilla [Peay] will agree with me when I say this trip was unique. Saturday night was similar to the previous years. Our parents stayed waving and well-wishing us off, as in [inaudible]. We made our first stop to the museums. Last year we went before it opened. This time it was open. On the way there, Mr. Johnson had explained to us that the museum played a role during President Obama's inauguration, so I was really happy to be there again. Exhibits at the museum included a section with headlines from all 50 states and major countries, and there was an interactive session where each of the Youth Commissioners were able to pretend to be newscasters and make either a weather report or a news report.

We also took pictures above Pennsylvania Avenue and we also — we also went to the American History Museum and the National Holocaust Museum. The Holocaust Museum was completely fascinating because it pertained to such a massive event in history. It seemed there was no time for us to satisfy our curiosity about the events; however, we all learned new things. One particular exhibit that really touched me was an exhibit where they had all of the shoes from victims before they were taken to a work area of imprisonment. They had to take off their shoes before they went into a shower.

Monday was our most important day. We attended the National Association of Counties Conference. There were several workshops and Mr. Johnson dispersed the Youth Commissioners into separate ones. Priscilla [Peay] and I both attended the 2008 Housing Stimulus Workshop. Our speakers were Mr. Demont [phonetic] and there was also a lady called Ms. Price who served on many committees making sure that certain bills were past through Congress. They were basically there to tell the Commissioners and everyone in the workshop exactly what to expect during Obama's administration. Most of it is uncertain, but they say that have very high hopes that we could battle homelessness and other things.

We also were able to attend an AIDS workshop that were invited to. An interesting fact that I learned there was that North Carolina A&T has the highest AIDS rate in the country based on colleges. That was something interesting that I learned.

After the conference, we visited the National Center for Missing and Exploited Children. That was a very, very divided experience between despair for those who — those pictures we saw of kids who didn't return home and then was happiness when we saw the procedures that the people up there are working on to make sure that kids who aren't found yet are found. We saw how they do an age progression procedure. We also went to the studio [inaudible], which is a program dedicated to make sure that kids prevent — to promote kids' safety on the web and in cyberspace.

Youth Commissioner Priscilla Peay said, on Tuesday, March 10, 2009, the Chatham County Youth Commission departed for New York. Our first stop was the World Trade Center Museum. The World Trade Center Museum was one of the highlights of our trip. The museum showed exactly what happened during 9-11 and how drastic this time was for everyone. Also, we heard different clippings of firefighters rescuing different victims on 9-11. This museum touched many of our hearts because you could feel the sorrow and pain that these Americans went through. Also it showed different things that you did not see on TV or on the news. Also, later that night, the Chatham County Youth Commission went to watch *Shrek* on Broadway. This show was awesome and exciting and everyone had a very good time.

On Wednesday, March 11, 2009, we woke up at 6:00 a.m., and headed back towards New York for the NBC *Today Show*. We arrived at the Rockefeller Plaza at 7:00 a.m., and waited outside until around 8:00 a.m. The Chatham County Youth Commission had — we had our signs posted on the gates outside and finally around 8:00 a.m., Meredith Vieira and Matt Lauer came outside and caught us all on camera. We were all shouting and waving and having a very good time. After we all caught a glimpse of spotlight, we headed for our NBC tour. The tour showed exactly what each person does in the studio and how they broadcast the show. Also, two people out of our group was chosen to play as the news broadcasters. We also visited the studio where *Saturday Night Live* is filmed. I didn't realize the studio was so small.

After our tour, we headed back towards Washington, DC. There we met with Jack Kingston, Congressman Jack Kingston, and one of John Barrow's interns. While there, we heard different sides of the stimulus bill from Jack Kingston's side and John Barrow's side.

Then later that night we headed back home towards Savannah, Georgia. On behalf of the Chatham County Youth Commission, Kathryn Pinckney and I would like to thank the Chatham County Commissioners for providing this trip. We show great gratitude toward Dr. Priscilla D. Thomas and Mr. Van Johnson. This was a very great opportunity for us and we learned a lot. Thank you.

Chairman Liakakis said, thank you very much for both of you for that report.

Mr. Johnson said, just as a follow-up note I would be remiss in not mentioning, we had the opportunity — we certainly want to thank Congressman Jack Kingston. When we arrived back in DC, he was in the middle of a meeting and he actually left his meeting to be with us and, as usual, he spent a great deal amount of time with us sitting on the Capitol steps, even when it started to rain. Just a little bit he was there and we want to thank him for doing that. Also, Congressman John Barrow's office, the Congressman was not able to meet with us, but he did have an intern to come and to give us a Capitol tour and to sponsor us in the gallery of the United States House of

Representatives, and we certainly appreciated the opportunity to be able to do that as well. So, again, thank you all so much for providing the opportunity. I submit to you that as these young people age and they become older like us, that they will look back on these opportunities and they will say that you helped make it happen. So thank you so much.

Commissioner Thomas said, on other thing, Mr. Chairman and Commissioners, I just want to say thanks to Mr. Van Johnson. Let me tell you, it's a lot of work, a lot of work. It's not something that we can take lightly. A lot of man hours goes into this and when we arrived at each of these different places, I mean, he jumps off the bus and he goes in and makes sure that everything is prepared and waiting for us. So I just want to publicly say thank you, Mr. Johnson, for all that you do. Your leadership has been great and we appreciate you so very much. Thank you.

Mr. Johnson said, one other note about this picture right here, this is Senator Rolan Burroughs, who is the Junior Senator for Illinois, and this picture was not really supposed to happen. We were leaving Congressman Jack Kingston and we were walking back towards the bus because there was a distance that had to be — the perimeter had to be set where the bus could not enter into the Capitol, and one of the kids recognized him, and then he turned around and he looks and he sees 40 kids kind of running towards him, and before he realized I think he was surrounded. Even the Capitol police just kind of looked and just let them be. So we certainly want to thank him because he did take the time to talk with our young people and certainly to encourage them as well. So we want to throw that out there. Thank you.

Chairman Liakakis said, thank you very much. We appreciate that and we're very proud of our Chatham County Youth Commissioners because it has made a big difference in their lives on many occasions, especially all the graduates that have come from there.

ACTION OF THE BOARD:

Youth Commissioners Kathryn Pinckney and Priscilla Peay gave a report on their recent trip to Washington, DC, for the NACo meeting and their trip to New York.

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VIII. TABLED/RECONSIDERED ITEMS

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| <p>Unless action is contemplated at today's meeting, staff report and file material has not been duplicated in your agenda packet. The files are available from the Clerk. Those on which staff is requesting action are indicated by asterisk (*).</p> |
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None.

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IX. ITEMS FOR INDIVIDUAL ACTION

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| <p>Unless the Board directs otherwise, adoption of an Action Item will mean approval of the respective County staff report and its recommended action.</p> |
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- 1. TO REQUEST APPROVAL OF THE FOLLOWING BUDGET TRANSFERS AND AMENDMENTS: 1) AN AMENDMENT TO INCREASE REVENUES AND EXPENDITURES IN THE MULTIPLE GRANT FUND \$10,000 FOR A STATE CHALLENGE GRANT TO THE LUTHERAN SERVICES OF GEORGIA, AND 2) A GENERAL FUND M&O CONTINGENCY TRANSFER OF \$5,000 TO THE CLERK OF COMMISSION.**

Chairman Liakakis said, we need a motion on the floor for that.

Commissioner Holmes said, motion to approve. Commissioner Kicklighter said, Mr. Chairman, what —. Commissioner Stone said, I'll second the motion.

Commissioner Kicklighter asked, the \$10,000 grant to the Lutheran Services —. County Manager Abolt said, it's a pass-through. Commissioner Kicklighter asked, huh? County Manager Abolt said, it's a pass-through grant. It comes from the State, we are the fiscal officer and it just passes through. Commissioner Kicklighter said, okay. So it's a State —. County Manager Abolt said, not County money. Commissioner Odell said, it don't cost us a penny. Commissioner Kicklighter said, okay, I mean, 'cause I know a while back we had to slim down our donations to —. County Attorney Hart said, they require a program to have some local sponsor just —.

Chairman Liakakis said, this is a Governor’s program that they have a couple of agencies, the United Way and Lutheran Services, and they apply for and they send it to the County Government and we send a check to the Lutheran Services and to United Way.

Commissioner Kicklighter said, great for them. I call the question.

Chairman Liakakis said, okay, let’s go on the board . The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Holmes moved that the Board approve the following budget transfers and amendments: 1) An amendment to increase revenues and expenditures in the Multiple Grant Fund \$10,000 for a State Challenge Grant to the Lutheran Services of Georgia, and 2) a General Fund M&O Contingency transfer of \$5,000 to the Clerk of Commission. Commissioner Stone seconded the motion and it carried unanimously.

AGENDA ITEM: IX-1
AGENDA DATE: March 27, 2009

TO: Board of Commissioners
THRU: R.E. Abolt, County Manager
FROM: Linda B. Cramer, Finance Director

ISSUE: To request approval of the following: 1) an amendment to increase revenues and expenditures in the Multiple Grant Fund \$10,000 for a State Challenge Grant to the Lutheran Services of Georgia, and 2) a General Fund M&O Contingency transfer of \$5,000 to the Clerk of Commission.

FACTS AND FINDINGS:

1. The Georgia Department of Community Affairs has awarded a \$10,000 State Challenge Grant to the Lutheran Services of Georgia. A resolution to amend the budget and a copy of the grant award are attached.
2. The Clerk of Commission has requested a \$5,000 transfer from contingency for minute books.

FUNDING: Funds are available in the General Fund M&O Contingency for the transfer. The budget amendment will establish funding in the Multiple Grant Fund.

ALTERNATIVES:

- (1) That the Board approve the following:

MULTIPLE GRANT FUND

increase revenues and expenditures \$10,000 for a State Challenge Grant to the Lutheran Services of Georgia

GENERAL FUND M&O

transfer \$5,000 from Contingency to the Clerk of Commission budget for books.

- (2) Amend or deny the request.

POLICY ANALYSIS: State law grants the Board authority to amend the budget during the year as it deems necessary.

RECOMMENDATION: That the Board approves Alternative 1.

Prepared by: Read DeHaven

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2. REQUEST BOARD PROVIDE THE CEMA DIRECTOR THE AUTHORITY TO NEGOTIATE WITH THE HUNTER ARMY AIRFIELD COMMANDER AND REQUEST THE ALLOCATION OF SPACE FOR THE CONSTRUCTION OF A CHATHAM COUNTY MULTI-PURPOSE EMERGENCY OPERATIONS CENTER.

Chairman Liakakis asked, Russ [Abolt], do you want to address that?

County Manager Abolt said, I would like to begin, Mr. Chairman, by recognizing and stating the obvious. This cooperation with Hunter Army Airfield with staff began when the Chairman's outreach to have the garrison's commander serve on a variety of committees, including the coordination committee between all the cities and Chatham County. It is an indication of the great relationships that we have. Clayton Scott, who saw the possibility in recognizing that Hunter Army Airfield is positioned on highest on the highest ground in Chatham County, asked the question what if, and we got a good answer to the what if. Obviously, much more has to be done. This is the conceptual approval on your part to allow negotiations to begin, but I want to give due credit to Clayton [Scott] for his ingenuity and creativity and also recognize the Chairman for his leadership in the intergovernmental cooperation. Clayton?

Commissioner Odell said, I'll move for approval. Commissioner Thomas said, second.

Chairman Liakakis said, let's go on the board. The motion carried unanimously. Chairman Liakakis said, and basically I think everybody understands it. The information was in your book, but it's of course to have the Emergency Management Agency here for Chatham County to build a sufficient operation center. The one that is being used, a secondary one, out on the Parkway, the old Chatham County Police Department, is — that is too small for that large room to be able to handle the emergency, and then we can see that if a huge storm was to come here, we would have problems, possibly leakage in this building, that would interrupt the Emergency Center that we have here in the basement, which is quite extensive.

Mr. Scott said, my name is Clayton Scott. I'm the Director of CEMA. For fear of selling back the farm, I'd like to make a couple of short comments, if I may. I have the support and endorsement of the State Department — the Director of the State Department of Homeland Security in Georgia Emergency Management Agency, the Captain of the Port, the Director of Security for the Port of Savannah, the Federal Security Regional Director of TSA, the Regional Director of U.S. Customs and Border Protection, U.S. Marshal, and the local office of the FBI. What's important about that is these folks are absolutely instrumental in the grant process. Many of the approving authority for it, so the fact that we have their endorsement is great. What our intention is, and this is the rendering in discussions with Colonel Whitney, when I went out and looked at Hunter to find what the best possible sites were, the site that was unquestionably the best was the old hospital located next to the new one. Some of the highest ground, very easily available to section off that piece of property. Should anything ever happen to Hunter, we could easily separate it, and a rendering of it, and this is just a picture that's all it is, is to — that's what the site could possibly look like. This is some of the highest ground on Hunter and immediately adjacent to 516, to Montgomery. Montgomery Street is just an absolutely perfect, but very important to note, there is absolutely no guarantee that this will occur. We may or may not get this offer. If we do get the offer, there is no obligation on behalf of the Commission that we have to accept the offer should we choose to at a separate time. Are there any questions about it?

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone asked, so this is not — I mean, we're looking to do this, but we're just giving conceptual approval here? Mr. Scott said, yes ma'am. I'm asking that the Commission send a letter, which I think is part of your packet which says we would like this piece of property, and at this point it's pie in the sky. Whitney is very positive about it that there's a very good chance that we'll get this. Commissioner Stone said, I mean, I think it's a wonderful idea, I'm just concerned if, you know, how we are going to go about with the current economy and our budget. So that was just the concern that I have.

Mr. Scott said, I'm looking at grant money, as much as we can possibly get. Now, of course, grant money is at least all that I'm familiar with is at least a 25% match, but again this is something that we can address as I think we get to it. We don't have to accept it if it's offered to us.

Commissioner Stone said, I think it's a wonderful thing and I think it's absolutely necessary. I was just concerned about the mechanics of how we were going to get it done. Mr. Scott said, yes ma'am, absolutely. Commissioner Stone said, thank you. Mr. Scott said, I share that concern, so we'll just have to cross that bridge when we get to it literally.

Chairman Liakakis said, alright, put the — excuse me, Kathryn [Pinckney].

Youth Commissioner Pinckney said, I just have one question. How much square feet are we looking for this Center? Mr. Scott said, we're looking for approximately ten acres of land. Ms. Pinckney said, ten acres.

Chairman Liakakis said, okay, let's put those screens back up please. Mr. Scott said, thank you very much. Chairman Liakakis said, and then we'll go on the board. The Clerk said, you have already voted.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Chairman, I would just like to acknowledge former Mayor Roy Crager out in the audience. He's a former Garden City Council Member as well as the former Mayor and he's done a great job for Garden City in the past and for Chatham County as a whole, and we just welcome him. He's also with current

Garden City Council Member, Misty Bethune — what's your new last name, Misty? Ms. Selph said, Selph. Commissioner Kicklighter said, Selph, and also her grandfather, and she's also a great Chatham County employee.

Chairman Liakakis said, okay, let's go on the board. Commissioner Thomas said, we've voted. Chairman Liakakis said, oh, okay. We won't do it again.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the request to provide the CEMA Director the authority to negotiate with the Hunter Army Airfield Commander and request the allocation of space for the construction of a Chatham County multi-purpose Emergency Operations Center. Commissioner Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: IX-2
AGENDA DATE: March 27, 2009

TO: Board of Commissioners
THRU: Russ Abolt, County Manager
FROM: Clayton S. Scott, Director, Chatham Emergency Management Agency

ISSUE: To request the Board provide the CEMA Director the authority to negotiate with the Commander, Hunter Army Airfield (HAAF) and request the allocation of space for the construction of a Chatham County multi-purpose Emergency Operations Center (EOC).

BACKGROUND:

Five years ago the US Army Corps of Engineers surveyed the Chatham County Administrative-Legislative Center for hurricane sustainability; the Corps determined that the Annex roof would fail in a category 3 storm. At that time the only facility available for use as an EOC was the 1500 square foot training room in the Chatham Parkway Annex. In spite of extensive hardening, this facility can only be rated to withstand a category 3 hurricane; it is also too small to manage the response to a major emergency. The County currently has neither a suitable structure for an EOC or adequate high-ground real estate for construction of a new EOC.

FACTS AND FINDINGS:

1. The County must have a facility for coordination of response and recovery operations in the event of natural disasters such as a hurricanes or tornados, as well as man-made contingencies including hazardous material spills, explosions, catastrophic fires, and chemical, biological or radiological incidents.
2. Discussions with the Commander of HAAF indicate that space is available on the base and that there is a very strong possibility that it may be made available at little if any cost, to the County for construction of an EOC.
3. CEMA has received verbal endorsements from a number of local, state and federal agencies for the construction of a multi-purpose EOC. These agencies include: the Georgia Department of Homeland Security/Emergency Management Agency, US Army, US Coast Guard, US Customs and Border Protection, and Port of Savannah Protective Services.

ALTERNATIVES:

1. Authorize the CEMA Director to enter into negotiations with the Commander HAAF and request the allocation of space for the construction of a Chatham County multi-purpose EOC (enclosure).
2. Do not authorize the Director, CEMA to negotiate with or request the allocation of space from the Commander, HAAF.

FUNDING: No consequential funding is anticipated.

POLICY ANALYSIS: It is the policy of the Board of Commissioners to provide residents of the County with the highest levels of emergency preparedness.

RECOMMENDATION: That the Board adopt Alternative # 1.

DRAFT LETTER**CHATHAM COUNTY COMMISSION
124 Bull Street
Savannah, Georgia 31401**

27 March 2009

LTC Daniel Whitney
Garrison Commander
Hunter Army Airfield
685 Horace Emmet Wilson Blvd.
Hunter Army Airfield, GA 31409

Dear Lieutenant Colonel Whitney:

The Board of Commissioners of Chatham County, Georgia would like to request the allocation of ten acres of land on Hunter Army Airfield for the construction of an Emergency Operations Center (EOC) with sustainable infrastructure capable of supporting multiple agencies with emergency operations missions in Chatham County.

Chatham County is faced with a variety of threats and hazards. The County Hazard Mitigation Plan approved by the Federal Emergency Management Agency recognized tropical storms, hurricanes, tornadoes, and storm surge as natural disasters that threaten the county; man-made disasters included threats from hazardous material incidents, explosions, fires, and chemical, biological, and radiological releases.

As a result of space limitations and storm surge vulnerabilities of the existing EOC and the absence of a maritime operations center for the coordination of a response to a major incident in the Port or along the inter-coastal waterway, the County is compelled to construct a new EOC. The importance of positioning this EOC on a site with an elevation greater than 35 feet is essential; Hunter Army Airfield encompasses much of the land in the County that meets this 35-foot criteria.

The Board's goal is to provide a permanent, centralized, multi-agency EOC whereby infrastructure, personnel, leadership, resources and technology may collaboratively plan and conduct emergency operations and monitor response activities that mitigate potential and actual threats to the safety and security of the residents of Chatham County.

The construction of a 20,000+ square foot facility is anticipated to accommodate a multi-agency incident command structure for the management of an all-hazard response. The facility would include a scalable multi-purpose operations center; separate smaller watch center to serve as a coordination point for independent 24-hour operations; secure communications and intelligence area; kitchen, dining and sleeping space; dedicated office spaces; redundant power systems, and sufficient acreage for infrastructure support, parking, resource staging, loading, storage and a helicopter landing pad.

Thank you in advance for your time and invaluable assistance. If you require additional information, please do not hesitate to contact either me or the Director, Chatham Emergency Management Agency, Mr. Clayton S. Scott at (912) 201-4500.

Sincerely,

Pete Liakakis
Chairman

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X. ACTION CALENDAR

The Board can entertain one motion to adopt the below-listed calendar. Such motion would mean adoption of staff's recommendation. Any Board Member may choose to pull an item from the calendar and it would be considered separately.

Chairman Liakakis said, you see all of the particular items, 1 through 10 and under 10, A through O. Do any of the Commissioners have any items they would like to pull out or I'd like a motion otherwise that we approve all of the items.

Commissioner Odell said, I'd like to pull Items under 10, F, G and H, the vehicles, and I think there's another one, and M. Chairman Liakakis said, okay.

Commissioner Stone said, Mr. Chairman, I just have a question about Item D.

Chairman Liakakis said, okay, we'll pull Item D, under 10 also. Commissioner Stone said, yes.

Commissioner Kicklighter said, I make a motion to approve the balance of the Action Calendar. Commissioner Stone said, I second it. Commissioner Thomas said, second.. Commissioner Kicklighter asked, do you have another one?

Commissioner Farrell said, I would just like to make a comment before we vote. Chairman Liakakis said, okay. Commissioner Farrell said, I just want to point out that there's been over the years a lot of different questions and comments about the Wilmington Park Canal Drainage, and I'm just very glad to see that that contract is going to be let today and that we will look for substantial improvements on Wilmington Island. That's Item 10-B.

Chairman Liakakis said, okay. We have a motion on the floor to approve all items except under Item 10, D, F, G, H and M. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve Items 1 through 10-O, except Items 10-D, 10-F, 10-G, 10-H and 10-M. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

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[NOTE: ACTION OF THE BOARD IS SHOWN ON EACH ITEM AS THOUGH AN INDIVIDUAL MOTION WAS MADE THEREON.]

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1. APPROVAL OF THE MINUTES FOR THE REGULAR MEETING OF MARCH 13, 2009, AS MAILED.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the minutes of the regular meeting of March 13, 2009, as mailed. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

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2. CLAIMS VS. CHATHAM COUNTY FOR THE PERIOD MARCH 5 THROUGH MARCH 18, 2009.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to authorize the Finance Director to pay the claims against the County for the period March 5, 2009, through March 18, 2009, in the amount of \$3,872,136. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

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3. REQUEST FOR NEW BEER POURING LICENSE AND SUNDAY SALES OF BEER POURING LICENSE FOR 2009. PETITIONER: TOSHIYUKI HIRATA D/B/A SEASONS OF JAPAN, LOCATED AT 50 BERWICK BOULEVARD. [DISTRICT 7.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Toshiyuki Hirata d/b/a Seasons of Japan, located at 50 Berwick Boulevard, for a new beer pouring license and Sunday sales of beer pouring license for 2009. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-3
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS

THROUGH: R.E. ABOLT, COUNTY MANAGER

FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE

Request approval for new beer pouring license and Sunday sales of beer pouring license for 2009, Toshiyuki Hirata d/b/a Seasons Of Japan, located at 50 Berwick Blvd, Savannah, Ga 31419.

BACKGROUND

Mr. Hirata requests approval for new beer pouring and Sunday sales of beer pouring license in connection with a new restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements.
3. The establishment is in compliance with all requirements.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION

The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.

District 7

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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4. REQUEST FOR NEW BEER POURING LICENSE AND SUNDAY SALES OF BEER POURING LICENSE FOR 2009. PETITIONER: ARACELI HARPER, D/B/A LA OFICINA TAQUERIA Y BILLAR, LOCATED AT 4001 OGEECHEE ROAD. [DISTRICT 5.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Araceli Harper, d/b/a La Oficina Taqueria Y Billar, located at 4001 Ogeechee Road, for a new beer pouring license and Sunday sales of beer pouring license for 2009. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-4
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THROUGH: R.E. ABOLT, COUNTY MANAGER
FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE

Request approval for new beer pouring license and Sunday sales of beer pouring license for 2009, Araceli Harper, d/b/a La Oficina Taqueria Y Billar, located at 4001 Ogeechee Road, Savannah, Ga 31419.

BACKGROUND

Ms. Harper requests approval for new beer pouring and Sunday sales of beer pouring license in connection with a new restaurant. The business at this location meets the requirements of the Chatham County Alcoholic Beverage Ordinance.

FACTS AND FINDINGS

1. The application was reviewed by the Police Department for compliance of the applicant and site distance requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. The establishment is in compliance with all requirements.
4. The applicant has been notified of the hearing date and time.

RECOMMENDATION

The Savannah-Chatham Metropolitan Police Department and Building Safety and Regulatory Services recommend approval.

District 5

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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5. **REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009. PETITIONER: CARL H. JONES, RESTAURANT CONCEPTS II, LLC, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL AND BAR, LOCATED AT 587 AL HENDERSON BOULEVARD. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Carl H. Jones, Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill and Bar located at 587 Al Henderson Boulevard, for renewal of Sunday sales of beer, wine and liquor pouring license for 2009. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-5
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THROUGH: R.E. ABOLT, COUNTY MANAGER
FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE:
Request approval for renewal of Sunday Sales of beer, wine and liquor pouring for 2009, Carl H. Jones, Restaurant Concepts II, LLC d/b/a Applebee's Neighborhood Grill and Bar located at 587 Al Henderson Blvd, Savannah, GA 31419.

BACKGROUND:
Mr. Jones requests approval for renewal of Sunday sales licenses in connection with an existing restaurant.

- FACTS AND FINDINGS:
1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
 2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
 3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:
The Savannah-Chatham Metropolitan Police Department and Building Safety and Regulatory Services recommend approval.

District 7

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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- 6. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009. PETITIONER: CARL JONES, AGENT FOR RESTAURANT CONCEPTS II, LLC, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LOCATED AT 5460 AUGUSTA ROAD. [DISTRICT 7.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Carl Jones, agent for Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill & Bar, located at 5460 Augusta Road, for renewal of Sunday sales of beer, wine and liquor pouring license for 2009. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-6
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THROUGH: R.E. ABOLT, COUNTY MANAGER
FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE:
Request approval for renewal of Sunday Sales of beer, wine and liquor pouring for 2009, Carl Jones, agent for Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill & Bar, located at 5460 Augusta Road.

BACKGROUND:
Mr. Jones, requests approval for renewal of Sunday sales licenses in connection with an existing restaurant.

- FACTS AND FINDINGS:
1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
 2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
 3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
 4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:
The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.

District 7

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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7. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009. PETITIONER: CARL JONES, AGENT FOR RESTAURANT CONCEPTS II, LLC, D/B/A APPLEBEE'S NEIGHBORHOOD GRILL & BAR, LOCATED AT 4705 U.S. HIGHWAY 80 EAST. [DISTRICT 4.]

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Carl Jones, agent for Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill & Bar, located at 4705 U.S. Highway 80 East, for renewal of Sunday sales of beer, wine and liquor pouring license for 2009. Commissioners Stone and Thomas seconded the motion and it carried unanimously. seconded the motion and it carried unanimously.

AGENDA ITEM: X-7
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THROUGH: R.E. ABOLT, COUNTY MANAGER
FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND
REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE:

Request approval for renewal of Sunday Sales of beer, wine and liquor pouring for 2009, Carl Jones, agent for Restaurant Concepts II, LLC, d/b/a Applebee's Neighborhood Grill & Bar, located at 4705 U.S. Highway 80 East.

BACKGROUND:

Mr. Jones, requests approval for renewal of Sunday sales licenses in connection with an existing restaurant.

FACTS AND FINDINGS:

1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the site for compliance with the commercial kitchen requirements and approved the facility.
3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
4. The applicant has been notified in writing of the date and time of the hearing.

RECOMMENDATION:

The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.

District 4

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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- 8. REQUEST FOR RENEWAL OF SUNDAY SALES OF BEER, WINE AND LIQUOR POURING LICENSE FOR 2009. PETITIONER: CHERI STOKES KELLER, D/B/A JANIE ARKWRIGHT'S KITCHEN, LOCATED AT 5901 OGEECHEE ROAD. [DISTRICT 4.]**

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve the petition of Cheri Stokes Keller, d/b/a Janie Arkwright's Kitchen, located at 5901 Ogeechee Road, for renewal of Sunday sales of beer, wine and liquor pouring license for 2009. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-8
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THROUGH: R.E. ABOLT, COUNTY MANAGER
FROM: GREGORI S. ANDERSON, DIRECTOR OF BUILDING SAFETY AND
REGULATORY SERVICES
WILLIE LOVETT, ASSISTANT CHIEF OF POLICE

ISSUE:

Request approval for renewal of Sunday sales of beer and wine pouring for 2009, Cheri Stokes Keller d/b/a Janie Arkwright's Kitchen, located at 5901 Ogeechee Road.

BACKGROUND:

Ms. Keller, requests approval for renewal of Sunday sales of beer and wine pouring license in connection with an existing restaurant.

FACTS AND FINDINGS:

1. The application was reviewed by the Police Department for compliance of the applicant and separation requirements and approved.
2. The returned application was reviewed by Regulatory Services. The County Fire Marshal inspected the structure for compliance of the applicable codes and approved.
3. The applicant and business meets the requirements of the Chatham County Alcoholic Beverage and Sunday Sales Ordinance.
4. The beer and wine pouring and Sunday sales licenses are for the Janie Arkwright's Kitchen location only. Additional alcohol pouring locations will require separate pouring licenses.

RECOMMENDATION:

The Savannah-Chatham Metropolitan Police Department and Regulatory Services recommend approval.

District 6

We verify that the attached report and attachments are complete and correct as to form.

Gregori S. Anderson, CBO

Assistant Chief Willie Lovett

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9. REQUEST BOARD APPROVAL TO AMEND THE CHATHAM COUNTY SMOKING POLICY TO PROHIBIT SMOKING IN ALL COUNTY OWNED AND LEASED VEHICLES.

ACTION OF THE BOARD:

Commissioner Kicklighter moved to approve an amendment to the Chatham County Smoking Policy to prohibit smoking in all County-owned and leased vehicles. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

AGENDA ITEM: X-9
AGENDA DATE: March 27, 2009

TO : Board of Commissioners
THRU : R. E. Abolt, County Manager
FROM : Michael A. Kaigler, Human Resources and Services Director

ISSUE:

To request Board approval to amend Chatham County Smoking Policy to prohibit smoking in all County owned and leased vehicles.

BACKGROUND:

The Chatham County Board of Commissioners adopted the Chatham County Smoking Policy, effective June 1, 1990, which prohibited smoking in Chatham County governmental facilities, except in designated smoking areas identified by signs. Absent from that policy was County owned and leased vehicles, which are utilized daily by County employees.

FACTS AND FINDINGS:

1. Vehicles have long been considered to be an extension of the work site, as many employees work a majority of their work day from their vehicles. Cigarette smoke

and residue settles in the carpeting and upholstery of a vehicle, making it difficult to clean and difficult to transfer to another employee. Additionally, many departments utilize "pool" vehicles, which are driven by several employees in that department.

2. The City of Savannah, GA has a similar policy prohibiting the smoking and the use of tobacco in City vehicles. The Metropolitan Police Department has vehicles that are purchased and owned by the City and the County. This amendment makes Chatham County's policy with that of the City of Savannah.
3. There are documented incidents of the hazards of second hand smoke and the difficulty that individuals with asthma, bronchitis and similar breathing challenges face when entering places where smoking has taken place; thus, many institutions, such as hotels and car rental companies prohibit smoking and promote "smoke free" products.
4. Chatham County will implement a smoking surcharge on health insurance premiums effective July 1, 2009. Smoking Cessation programs are offered to help ease the transition.
5. If the Board of Commissioners approve the amendment to the Smoking Policy, the policy document will be updated to reflect the changes and copies of the amended policy will be forwarded to all County Departments.

FUNDING:

No additional funding is required.

ALTERNATIVES:

1. Approve the amendment to the Chatham County Smoking Policy to prohibit smoking in all County owned and leased vehicles.
2. Continue the present Smoking Policy which prohibits smoking in County owned or leased facilities only.

POLICY ANALYSIS:

It is presently the policy of Chatham County that smoking is not allowed in County owned building and facilities. The proposed changes in the Smoking Policy will further provide a safe and healthy environment for Chatham County employees who utilize Chatham County owned or leased vehicles in the performance of their official duties.

RECOMMENDATION:

That the Board adopt Alternative #1.

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10. REQUEST BOARD APPROVAL TO AWARD BIDS AS FOLLOWS: (Please note that new purchase thresholds of \$10,000 or more have been enacted; however, contracts and change orders of a lesser amount still will appear.)

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|-----------------------------------------------------------------------------------------------------------|--------------|--------------------------------------|---------------|---------------------------------------------------------------|
| A. Construction contract for the paving of Brandy Road | Engineering | Clifton Construction, Inc. (WBE) | \$158,620 | SPLOST (2003-2008) - Brandy Road |
| B. Construction contract for the bank stabilization of Wilmington Park Canal drainage improvement project | Engineering | A.D. Williams Construction Co., Inc. | \$391,829 | SPLOST (1998-2003) - Drainage - Wilmington Park Canal Project |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| C. Professional services contract with automatic renewal options for two (2) additional one (1) year terms for the "as required" instruction and supervision of youth under the jurisdiction of Juvenile Court | Juvenile Court | <ul style="list-style-type: none"> •Robert Campbell (MBE) •Kelly Jewison (WBE) •Tanya Lewis (WBE) •Antoinette Mullino (WBE) •William Sanders (MBE) •Kenneth Williams (MBE) | Varies by years of service | Supervision fees collected by Juvenile Court |
| D. Deductive Change Order No. 3 to the annual contract for pest control service to discontinue service at the Tybee Pier and Pavilion | Facilities Maintenance and Operations | Cox Termite and Pest Control | (\$180)/year | General Fund/M&O - Tybee Pier and Pavilion |
| E. Annual contract with automatic renewal options for four (4) additional one (1) year terms to provide inmate jumpsuits | Detention Center | Justice Packaging (WBE) | Varies by item | General Fund/M&O - Detention Center |
| F. One (1) 2009 Ford F150 full size pickup truck | Engineering | J. C. Lewis Ford | \$23,795 | SPLOST (2003-2008) - Vehicle Replacement |
| G. Two (2) 2009 Ford Explorers | CEMA | J. C. Lewis Ford | \$40,976 | CEMA |
| H. One (1) 2009 Ford F150 Super Crew cab pickup truck | Sheriff | J. C. Lewis Ford | \$21,302 | CIP - Vehicle Replacement |
| I. Kardex vertical carousel filing machine | Voter Registration | Modern Business Systems, Inc. (Sole Source) | \$37,185 | General Fund/M&O - Voter Registration |
| J. Confirmation of the emergency approval of Change Order No. 1 to the contract for the construction of restroom facility and pump house at Kings Ferry Park for additional work | Parks and Recreation | Kerby Enterprises, Inc. | \$1,762 | CIP - Parks and Recreation |
| K. Professional services task order contract for engineering services on County projects | Engineering | Kern-Coleman and Company | Not to Exceed \$150,000 | <ul style="list-style-type: none"> •SPLOST - (1985 - 1993), (1998 - 2003), (2003 - 2008) •Land Bank Account •Capital Improvement Program (CIP) |
| L. Declare a 1996 Ford Club Wagon Van as surplus and authorize the transfer of the title to the Town of Thunderbolt | Fleet Operations | N/A | N/A | N/A |
| M. One (1) 2009 Ford Taurus | Purchasing and Contracting | J. C. Lewis Ford | \$19,619 | General Fund/M&O - Purchasing and Contracting |
| N. Replacement roof system and carpentry repairs to north and center bays at the Resource Conservation Education Center | Facilities Maintenance and Operations | The House Doctor | \$14,400 | Solid Waste Restricted |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------|---------------|------------------------------------------------|
| O. Change Order No. 1 to the contract for the construction of maintenance building for the Soccer Complex for additional work | Public Works and Park Services | Ansley-Sheppard-Burgess Company | \$1,976 | 2005 DSA Series Bonds - Animal Control Shelter |

As to Items 10-A through 10-O, except 10-D, 10-F, 10-G, 10-H and 10-M:

Commissioner Kicklighter moved to approve Items 10-A through 10-O, except Items 10-D, 10-F, 10-G, 10-H, and 10-M. Commissioners Stone and Thomas seconded the motion and it carried unanimously.

As to Items 10-F, 10-G, 10-H and 10-M:

Chairman Liakakis recognized Commissioner Odell.

Commissioner Odell said, this is for Mr. Abolt, if I could, and just a way of comment, I don't deny the need for the vehicles. My only concern is that I think they come from the department heads and we do simply replacement. When a vehicle has been worn out, we replace it. I guess my question is do we look at the department and do a needs assessment to determine whether or not it's still needed or, in fact, if it is needed, do we in fact need this?

County Manager Abolt said, all of these have been in place for a number of years because of the wisdom of the very question you asked. The department head, himself or herself, does not make the determination. It goes through Fleet. Mr. Grant and Mr. Kaigler at that time is assessed as to the need. Our situation in the past has been that we have been less than on top of replacing vehicles and, as we all know, that led to much higher maintenance costs, so we try to replace when we can. There's an allocation each year in the M&O CIP to replace vehicles to avoid those maintenance costs. The short answer is yes, we watch it ver closely because of the expense involved.

Commissioner Odell asked, and on each on we make an independent determination —? County Manager Abolt said, I would have to defer to Mr. Kaigler on that. I can't —. Commissioner Odell said, let me finish, Russ [Abolt]. I guess my question is that on each one we make an independent analysis that there's still a need and the need is this for particular type of vehicle. Now you can turn it over to anybody you want to.

County Manager Abolt said, Mr. Kaigler.

Mr. Michael Kaigler said, yes sir, we have been requiring the department to send in a memo justifying their need for the vehicle and we'll start including that in your agenda package so you can see that.

Commissioner Odell said, no, I really don't want to see it. Here's my question, I guess the gist of my question: Out of 50 requests for replacement vehicles, looking back last six months, a year, take the last 50 requests — are you with me? Mr. Kaigler said, yes sir. Commissioner Odell asked, how many were rejected? Mr. Kaigler said, off the top of my head, I don't recall a —. Commissioner Odell said, just a rough estimate. Mr. Kaigler said, maybe a couple at most. It's not —. Commissioner Odell asked, it's not —. Commissioner Odell asked, 2%, 5% —. Mr. Kaigler said, less than that, less than that. We don't have very many departments that are requesting vehicles that are not specific to an individual function.

County Manager Abolt said, we can if y'all like each year when we prepare the list for consideration of CIP, we have a prioritized list of vehicles and then based on mileage and usage and things like that, and that's a semi-empirical way in which we look at the need to replace to avoid growing maintenance costs. We can do whatever you wish us to do as far as providing information.

Commissioner Odell said, I don't want us to go through an additional time and expense. What I do hope that we do is on each one that we do a zero-based budgeted to ensure that just because you had it for 10 years and the department has changed, if you don't need it you shouldn't have it just because you've had it for 10 years. County Manager Abolt said, thank you, sir. Commissioner Odell said, and the import of that to me is that we not only save that expenditure for the vehicle, we save that expenditure for the gasoline and insurance and et cetera, but if you're comfortable with it, Russ [Abolt], I have complete confidence in you; — well, maybe not complete, but —. County Manager Abolt said, that's very nice. That's very nice of you and because as I do have complete confidence in you as being the best Commissioner from your district and will ensure that whatever [inaudible] you need, we will provide. County Manager Abolt said, it's a close race, Russ [Abolt].

Chairman Liakakis recognized Commissioner Gellatly.

Commissioner Gellatly said, just a point of clarification kind of along the same lines. Does the Fleet Manager when a request is made, does he take a look at that vehicle to see if the size is appropriate, should it be diesel engine or a smaller engine or should it —, you know, are hybrids something we ought to be looking at, things of this nature.

Some vehicles are more heavy duty than others and things of that nature. Mr. Kaigler said, yes sir. Over the years we've developed a standard vehicle for that particular function. Now we do have occasions where a department head comes in and they need a heavy duty vehicle for specific functions, and they are required to send the justification in to that and I review those to determine whether that's justified or not. Commissioner Gellatly asked, it's not an automatic? Mr. Kaigler said, yes sir, it's not automatic. Commissioner Gellatly said, I used to be one of those department heads and sometimes they ask for things I look back that I could have had a lot less of. Thank you.

Chairman Liakakis said, okay. We need a —.

Commissioner Kicklighter said, I have a question. Chairman Liakakis said, yes. Commissioner Kicklighter asked, why do we have it on here that Engineering is requesting one 2009 Ford F150 full size pickup for \$23,795 and the Sheriff's Department has one 2009 Ford F150 Super Crew cap pickup, which may even be a little larger, for \$21,302. Right above that, Chatham Emergency Management has two 2009 — well, that's a different one, but basically we have a pretty large price difference from the Sheriff and Engineering and it appears the Sheriff's getting the larger of the two trucks. County Manager Abolt said, one maybe a 4-wheel drive. Mr. Kaigler, please.

Mr. Kaigler said, the Sheriff and — I think he's coming up to explain it — they submitted a — that was one of the requests that the Sheriff submitted for a particular program that they needed a heavy-duty vehicle. Mr. Grant worked with them to develop the specifications. I'll let the Sheriff —.

Commissioner Kicklighter said, I'm saying, but why is the vehicle he's getting cheaper than the other one? Sheriff St. Lawrence said, I think it's because they have difference needs. They may have to have a wench on theirs or something, I don't know, but I'm sure it's because of different need, and to get back to Commissioner Odell's question, for the last 7 or 8 years, we've gone along with whatever Fleet Management has recommended. I may, you know, last year you bought me eight vehicles. This is one V-8. I disagreed with that somewhat, but we went along with Fleet Management's recommendation based on, as the Manager said, the mileage, the maintenance cost. The Fleet Management has all the maintenance records. We're required to produce those vehicles when they need to be maintained and so forth. They keep up with all that, so we go along with Fleet Management's recommendations as to what needs to be replaced and what needs to take the place of that replacement, so to speak.

Commissioner Kicklighter said, and to follow up on the question, and Sheriff, this is not for you. Thank you for getting a better price than the other. That's a good job. Sheriff St. Lawrence said, they get all the prices. Mr. Kaigler said, I think the one that the Engineering, the big difference is the one that Engineering is getting is getting and CEMA is, it's a 4-wheel drive vehicle. That's a lot of off-road work that they Engineering is requiring. Commissioner Kicklighter said, curious: do we actually at this point in time when vehicles are getting repossessed left and right, are we looking at any possibly used vehicles that are virtually new or are we just looking strictly at new? County Manager Abolt said, you will have periodically on your agenda we're purchasing used vehicles, but I'll defer to Mr. Kaigler. I'm very proud of what Mr. Grant and his predecessor have done to look at that. In fact, the previous County Commission was receptive, as you have been, when we began to buy, you know, used vehicles as a government a long time before a lot of other folks did. Mike [Kaigler], please.

Mr. Kaigler said, I know law enforcement, they typically when it is possibly they do get repossessed and used vehicles, especially government-seized vehicles that they confiscate. We have used those in the past.

Commissioner Kicklighter asked, did Engineering look at any used vehicles for the use of 4 by 4? Mr. Kaigler said, I don't think that we look at one for Engineering because Mr. Bungard has specific needs when they're doing work out on the canal banks and going doing road work and construction projects. They've had problems getting bogged down in the kind of terrain that they're having to go over. So he needs a specific type vehicle for that purpose.

Commissioner Kicklighter said, I'm gong to state this one thing and then I'll stop. I don't think any of us up here is interested in micro-managing spending of government in general at all, but if we don't really start patrolling it department by department a little bit tighter as far as our spending, that's what it's going to have to come down to when our revenues come in. We're looking at some serious future cuts and I would just recommend that everyone start looking at ever potential dollar that we can save right now because we're going to need it and I —.

County Manager Abolt said, we are and I want to give credit to all the departments, include the elected officials, I've just completed the first round in perfecting the budget recommendation. Every one of those departments have come in with what I consider to be at first cut a very reasonable budget. They've cooperated. Those that might have chosen not to because of their constitutional status have all cooperated. They understand the mission. It begins with this Commission. Each time you have your goal sessions in advance of budget, you set not just the tone but you communicate value, and I must say without any equivocation that I'm very pleased with the first round. It does not mean the budget's going to be easy, but it will be a lot easier because of that spirit of cooperation that begins with your leadership for which I'm very appreciative.

Commissioner Kicklighter said, and I'm appreciative of your leadership, Russ [Abolt], as well as all of the staff, but it's just a fact that with our personal income and revenues, we have to cut our expenses to match if they go down and so I would just say that we need to take every opportunity to look at, you know, saving a dollar and that's one

example with Engineering. I'm sure there's a used vehicle out there for less money that would work for them and save us — yeah.

Sheriff St. Lawrence said, and there's a lot of restraint exercised. For instance, last year we asked for eight vehicle replacements. This year Fleet's coming in at eight, but that's less than five percent of my fleet. So what I'm saying to you is that you have to project those cars — if you buy eight and it's less than 5%, you're looking at 20 years or 15 years you don't have to replace a vehicle. So we're getting as much as we can out of them through maintenance keeping them in good shape and so forth, so we're not turning over 10 to 20% of our fleet every year.

Commissioner Kicklighter said, thank you, Sheriff.

Commissioner Odell said, Sheriff, while you're up there, just a couple of comments. One is that we should have a depreciation program where we have a schedule in which vehicles we know when the life, based upon prior experience, is going to expire. We can enter the market and we can buy when it's in our best interest and the best time of the year to buy. If we were to reduce that, say, to a — from brand new to a vehicle coming off of lease, we could save 35 to 40%. So — which increases our purchasing power with a vehicle that may only have 30,000 miles. Some of our vehicles have upwards before they are cashed out of 200,000 miles on them. Sheriff St. Lawrence said, I wouldn't have a problem particularly in the area of administrative cost and other functions. You know, we buy the Crown Vics for twenty thousand and some odd dollars —. Commissioner Odell said, oh, no. I'm not talking about having a police vehicle that breaks down. Those need to be specified and new. Sheriff St. Lawrence said, after we get through with them, Commissioner, they're not road worthy as far as we're concerned, but all of these Crown Vics that you see running around town as taxicabs, those are old police cars. They'll put 500,000 miles on them, but they're not road worthy to get into emergency stuff that you encounter in law enforcement. But I have no problem with looking at used cars or used vehicles. I have no problem with it whatsoever. Commissioner Odell said, yeah, and I don't make this comment because I want us to be more into a day to day management, but at some point the departments will come to us because we are under extreme financial conditions — not just us, but nationally — will come to us and we will be the ones to make the decision. Before we get to that decision, every dime that can be saved is a dime of interest to this Commission, and —. Sheriff St. Lawrence said, as the Manager has said, I don't know about the other constitutional officers, I think they are all doing the same thing I did, to try to operate on what I had this year, and you people — I say you people — the Board of Commissioners, for instance, gave a COLA last year to general employees. That's not going to happen this year, but we've got that money coming forward, but we're still going to — we've cut our budget to the point to where it's zero base. Commissioner Odell said, our department heads are great. I mean, anything that we've asked them to do, say cooperate, they cooperate with the County Manager and when we've come to you in past years and said, Mr. Sheriff, we have this financial concern, we need you to cut, you've done it. You've made it work, you've been a team player, and the other department heads have too. The simple fact that that is said doesn't say that every item cannot be scrutinized. Sheriff St. Lawrence said, absolutely. Commissioner Odell said, and I thank you.

Chairman Liakakis said, for information purposes, if you come to my office, I have to sign all of the requests for payment and in my office I have in there where the County has approved the number of vehicle purchases. There have been quite a number of used vehicles that have been purchased by the County. It's been approved by this Commission and I have to sign that, and I keep all those records in the office. So, I want all the Commissioners to know that.

Okay, we need a motion on the floor. Commissioner Odell said, I'll make a motion to approve. Commissioner Stone said, second. Chairman Liakakis said, F, G, H and M under 10. Let's go on the board. The motion carried unanimously. Chairman Liakakis said, the motion passes. Chairman Liakakis said, the motion passes.

As to Items 10-D:

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, thank you, Mr. Chairman. I'm just curious. I understand that we're getting a reduction in our pest control services for the pavilion at Tybee, but I was looking at the contract history and in reading some of these bids everything else seems to be going down slightly, and even though we're going to get a reimbursement of \$15 a month, this contract still went up, and I'm just curious to know if there's any room for —. County Manager Abolt asked, pest control? Commissioner Stone said, uh huh. County Manager Abolt said, no. Remember, and this has occurred if you look at the sequence in the last few meetings of the Board. You awarded a contract was extremely competitive, a very reasonable contract for pest control. There were additives, not a part of what the contractor did, but in effect decisions of the County staff as we were taking on new quarters and new square footage to add to that. So that's the only reason for that. Commissioner Stone asked, so it's not an increase in price? County Manager Abolt said, no ma'am, no ma'am. It's just our decision to have buildings that are coming on line that need to have pest control and we just added to it. Commissioner Stone said, I just wanted to make certain because if it was I was going to make the suggestion to contract some other companies. County Manager Abolt said, no ma'am, and again, going back, and I guess the original contract was just at the tag end of last year. I do remember in looking at it, it was extremely competitive at the time. Commissioner Stone said, that's what I thought and I just wanted to make sure that we were doing what we needed to do.

Chairman Liakakis said, we need a motion on the floor to approve Item 10-D. Commissioner Stone said, I'll make the motion, Mr. Chairman. Commissioner Holmes said, second. Chairman Liakakis said, we have a motion on the floor and a second. Let's go on the board. The motion carried unanimously.. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

- a. Commissioner Kicklighter moved to approve Items 10-A through 10-O, except Items 10-D, 10-F, 10-G, 10-H, and 10-M. Commissioners Stone and Thomas seconded the motion and it carried unanimously.
- b. Commissioner Odell moved to approve Items 10-F, 10-G, 10-H and 10-M. Commissioner Stone seconded the motion and it carried unanimously.
- c. Commissioner Stone moved to approve Item 10-D. Commissioner Holmes seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

AGENDA ITEM: X-10 A thru O
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THRU: R.E. ABOLT, COUNTY MANAGER
FROM: MICHAEL A. KAIGLER, DIRECTOR
HUMAN RESOURCES & SERVICES
SUBJECT: AWARD OF BIDS

ITEM A

ISSUE: Request Board approval to award a \$158,620 construction contract to Clifton Construction, Inc. to pave Brandy Road.

BACKGROUND: Brandy Road is on the list of unpaved roads in Unincorporated Chatham County. The Board approved a design contract with McGee Partners, Inc. on 10 August 2007.

FACTS AND FINDINGS:

1. This project was properly advertized and ten (10) bids were received and opened 10 March 2009. The bid results are as follows:

| | | |
|----|-------------------------------------------------------|-----------|
| ** | Clifton Construction, Inc. Garden City, GA | \$158,620 |
| | Griffin Contracting, Inc. Pooler, GA | \$161,979 |
| | OCS, Inc. Vidalia, GA | \$171,630 |
| | A. D. Williams Construction Co., Inc. Savannah, GA | \$180,530 |
| * | Sandhill ALS Construction, Inc. Hardeeville, SC | \$189,630 |
| | Southeastern Civil, Inc. Savannah, GA | \$191,105 |
| | Sitework Construction, LLC Savannah, GA | \$204,344 |
| | Seaboard Construction Co. Brunswick, GA | \$208,065 |
| | R. B. Baker Construction, Inc. Garden City, GA | \$216,688 |

** E&D Contracting Services, Inc. \$259,939
Savannah, GA

* MBE firm
** WBE firm

2. Staff believes the bid from Clifton Construction, Inc. to be fair and reasonable and well within the construction cost estimate.
3. The project is expected to be completed within 100 days from the Notice To Proceed.

FUNDING: SPLOST (2003-2008) - Brandy Road
(3234220 - 54.14001 - 32356537)

ALTERNATIVES:

1. Board approval to award a \$158,620 construction contract to Clifton Construction, Inc. to pave Brandy Road.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award construction contracts to the low, responsive, responsible bidder.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM B

ISSUE: Request Board approval to award a \$391,829 construction contract to A. D. Williams Construction Co., Inc. for the Bank Stabilization of Wilmington Park Canal Drainage Improvements project.

BACKGROUND: The project is part of the 1998-2003 SPLOST Wilmington Park Canal drainage improvement project. Phase 1 of the project included replacing the box culvert at Wilmington Island Road and installing a trash screen structure. Phase 1 was completed in 2002.

FACTS AND FINDINGS:

1. The project is located in the Wilmington Island area of Unincorporated Chatham County. Subsequent to completing construction of the new box culvert and trash screen under the Phase 1 project, the area experienced excessive erosion of soil and channel bank failure. The channel is frequently blocked with sediment and debris including trash and vegetative materials.
2. The sediment in the channel hinders removal of the blockages. This project will improve and protect the channel from erosion and help to facilitate proper maintenance and removal of blockages.
3. This project was properly advertized and seven (7) bids were received and opened 18 February 2009. The bids are as follows:

| | | |
|-------------------------------------------------------|-----------|------------------|
| OCS, Inc. Vidalia, GA | \$311,870 | (non-responsive) |
| A.D. Williams Construction Co., Inc.. Savannah, GA | \$391,829 | |
| Seaboard Construction Co. Brunswick, GA | \$410,320 | |
| Delmonico Atlanta, GA | \$426,018 | |
| Griffin Contracting, Inc. Pooler, GA | \$437,305 | |

* Sandhill ALS Construction, Inc. \$442,000
Hardeeville, GA

** E&D Contracting Services, Inc. \$528,085
Savannah, GA

* MBE firm
** WBE firm

4. Staff reviewed unit prices quoted by the apparent low bidder, OCS, Inc., and determined that a significant effort of work was left out of the bid. This determination was verbally affirmed by OCS, Inc. Staff considers the bid to be non-responsive and recommends that the Board not approve a contract with the apparent low bidder.
5. Staff believes that the price quoted by A.D. Williams Construction Co., Inc., the second lowest bidder, is reasonable for the work involved and that the bid is responsive to the requirements of the County. A. D Williams Construction Co., Inc. will have 100 days from the date of the Notice to Proceed to complete the work.

FUNDING: SPLOST (1998 - 2003) - Drainage - Wilmington Park Canal Project
(3224250 - 54.14021 - 32280187)

ALTERNATIVES:

1. Board approval to award a \$391,829 construction contract to A. D. Williams Construction Co., Inc. for the Bank Stabilization of Wilmington Park Canal Drainage Improvements project.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award construction contracts to the low responsive, responsible bidder.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM C

ISSUE: Request Board approval of Professional Service Contracts, (PSC's) with automatic renewals for two (2) additional year terms, for the "as required" instruction and supervision of youth under the jurisdiction of Juvenile Court.

BACKGROUND: The work squad program, which has operated for 15 years, provides community service opportunities to children who have been ordered by Juvenile Court to perform community service as symbolic restitution or as a consequence or sanction for a violation.

FACTS AND FINDINGS:

1. The community service work program operates on Saturdays. There are six (6) personnel currently providing professional services for the Juvenile Court under this contract. Work Squad supervision duties include: taking reasonable actions to assure the safety of the children and other persons with whom they come in contact, teaching the children the rules of the Work Squad, instructing them in the performance of the respective job assignments, overseeing the performance of their job assignments and duties, and performing light maintenance on Work Squad maintenance equipment on a periodic basis.
2. These contract services are provided by off-duty County employees serving in the capacity of "Independent Contractors" and as such will be provided IRS Form 1099-MISC from County Finance. The contracts with the service providers establish accountability for their performance and direction regarding avoidance of conflict of interest. The contracts make it clear that the only professional services for which payment can be made under the contract are those which are clearly beyond the duties performed as employees of the County.

3. Hourly Fees are based on years of experience at the following rates:

| <u>Years of Experience</u> | <u>Hourly Rate</u> |
|----------------------------|--------------------|
| Less than 2 years | \$14.00 |
| 2 to 4 years | \$15.00 |
| 4 to 6 years | \$16.00 |
| 6 to 8 years | \$17.00 |
| 8 or more years | \$18.00 |
| Work Squad Supervisor | \$23.00 |

4. Hourly fees paid to each of the additional service providers are as follows:

| | |
|-----------------------|---------|
| * Robert Campbell | \$15.00 |
| ** Kelly Jewison | \$14.00 |
| ** Tanya Lewis | \$15.00 |
| ** Antoinette Mullino | \$15.00 |
| * William Sanders | \$14.00 |
| * Kenneth Williams | \$15.00 |
| * MBE | |
| ** WBE | |

5. Management of the contract will be under the technical and administrative directions of an individual designated by the Judge. The designee is prohibited from receiving any fees from the contract. All documents and information regarding these contracts will be immediately available for audit upon the request of the County's Internal Audit Director.
6. O.C.G.A. Section 15-11-56.1 authorizes the Juvenile Court to collect supervision fees from children who are referred to the Court. The Code specifically authorizes the use of these funds for work experience programs.

FUNDING: Supervision Fees collected by Juvenile Court
(1009934 - 57.30101)

ALTERNATIVES:

- Board approval of professional service contracts, with automatic renewals for two (2) additional year terms, for the "as required" instruction and supervision of youth under the jurisdiction of Juvenile Court.
- Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve Professional Services Contracts for "Independent Contractors" for Juvenile Community Service Work Program when it is in the best interest of the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM D

ISSUE: Request Board approval of *deductive* Change Order No. 3, in the *deductive* amount of \$15 per month to discontinue monthly pest control services at the Tybee Island Pier and Pavilion, to the annual contract with Cox Termite and Pest Control.

BACKGROUND: On 21 November 2008, the Board approved an annual contract with four (4) automatic renewals for pest control services at various departments and agencies of Chatham County with Cox Termite & Pest Control.

FACTS AND FINDINGS:

- The contract for pest control services covers various departments and agencies of Chatham County and includes the Tybee Island Pier and Pavilion. Service began under this contract in January 2009. Cox Termite and Pest Control has provided one (1) application of service to the pier and pavilion.

2. Staff has been informed that pest control services for the Tybee Island Pier and Pavilion is the responsibility of the contracted vendor, Sweet Dreams, providing concessions service at the pier and pavilion. Sweet Dreams is aware of their contractual obligations to acquire pest control service.

3. Contract history is as follows:

| | |
|----------------------------------------|---------------|
| Original Contract Amount (11-21-08) | \$18,740/Year |
| Change Order No. 1 (01-16-09) | \$ 300/Year |
| Change Order No. 2 (03-13-09) | \$ 540/Year |
| Deductive Change Order No. 3 (Pending) | \$ (180)/Year |
| Revised Contract Amount | \$19,400/Year |

FUNDING: General Fund/M & O - Tybee Island Pier and Pavilion
(1006180 - 52.22001)

ALTERNATIVES:

1. Board approval of *deductive* Change Order No. 3, in the *deductive* amount of \$15 per month to discontinue monthly pest control services at the Tybee Island Pier and Pavilion, to the annual contract with Cox Termite and Pest Control.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to issue Change Orders to essential service contracts to recognize changes in scope of services.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____

RUSHEDA ADESHINA

ITEM E

ISSUE: Request Board approval to award an annual contract with automatic renewals options for four (4) additional one (1) year terms with Justice Packaging, Pooler, GA to provide inmate jumpsuits for the Detention Center.

BACKGROUND: The Detention Center is currently phasing out the old inmate work pants and shirts to be replaced by the jumpsuits.

FACTS AND FINDINGS:

1. Request for Quotes were properly advertised and opened 5 March 2009. The following firms submitted quotes:

| | |
|------------------------------------------------|------------------------------------------------|
| * Justice Packaging Pooler, GA | Uniforms MFG, Inc. Scottsdale, AZ |
| Deena Supply Co., Inc. Clark, NJ | Bob Barker Fuquay-Vernia, NC |
| PRIDE Enterprises St. Petersburg, FL | Robinson Textiles Gardenia, CA |
| Walter F. Stephens, Jr. Inc. Franklin, Ohio | OD Taragin & Bros., LLC Baltimore, MD |
| JNC Supplies, Inc. Chester, NY | Georgia Correctional Industries Decatur, GA |

* WBE

2. On 27 March 1998, the Board approved a "local preference" policy which, when a firm from outside Chatham County submits the "lowest quote" the policy allows the lowest local vendor to match the "lowest" quote. If the local firm does match the "lowest" quote, the local firm is awarded the purchase. As indicated in the attached bid tabulation (see attached pages 19-20), an out of town vendor offered the "lowest" quote. The

Chatham County firm was asked if they would match the outside firms' quote. As indicated, Justice Packaging did match the "lowest" quote.

FUNDING: General Fund/M&O - Detention Center
(1003326 - 53.17009)

ALTERNATIVES:

1. Board approval to award an annual contract with automatic renewals options for four (4) additional one (1) year terms with Justice Packaging, Pooler, GA to provide Inmate Jumpsuits for the Detention Center.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve contracts that offer the best value to the County.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM F

ISSUE: Request Board approval of the \$23,795 purchase of a 2009 Ford F150 Full Size, 4x4, SuperCrew cab pickup truck from J. C. Lewis Ford, of Savannah, GA, for Engineering.

BACKGROUND: This pickup truck will replace unit #429 that is worn out beyond economic repair and has poor dependability.

FACTS AND FINDINGS:

1. In order to expedite the process, fax quotes were requested from three (3) Georgia dealerships. Three (3) vendors responded. Responses are as follows:

| | |
|-----------------------------------|----------|
| Allan Vigil Ford Morrow, GA | \$23,795 |
| J. C. Lewis Ford Savannah, GA. | \$23,821 |
| Akins Ford Winder, GA | \$23,840 |
2. On 27 March 1998, the Chatham County Board of Commissioners adopted a "Local Vendor" Preference Ordinance that gives the lowest Chatham County vendor the opportunity to match the lowest price offered by an out-of-County vendor. If the County vendor confirms in writing within 24 hours, the award will be made to the Chatham County vendor.
3. J. C. Lewis Ford has agreed to match the low quote of Allan Vigil Ford.
4. Staff believes the total cost of \$23,795 for the purchase of a 2009 Ford F150 Full Size, 4x4, SuperCrew cab pickup truck to be fair and reasonable.

FUNDING: SPLOST (2003-2009) - Vehicle Replacement
(3234985 - 54.22001 - 3236063B)

ALTERNATIVES:

1. Board approval of the \$23,795 purchase of a 2009 Ford F150 Full Size, 4x4, SuperCrew cab pickup truck from J. C. Lewis Ford, of Savannah, GA, for Engineering.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicles for the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM G

ISSUE: Request Board approval of the \$40,976 purchase of two (2) 2009 Ford Explorers XLT from J. C. Lewis Ford, of Savannah, GA, for CEMA.

BACKGROUND: These vehicles will replace units #576 and #578 that are worn out beyond economic repair and are no longer suitable for operation.

FACTS AND FINDINGS:

1. In order to expedite the process, fax quotes were requested from three (3) Georgia dealerships. Three (3) vendors responded. Responses are as follows:

| | |
|-----------------------------------|----------------|
| Allan Vigil Ford Morrow, GA | \$40,976 |
| J. C. Lewis Ford Savannah, GA. | \$41,728 |
| Springfield Ford Rincon, GA | Non Responsive |

2. On 27 March 1998, the Chatham County Board of Commissioners adopted a "Local Vendor" Preference Ordinance that gives the lowest Chatham County vendor the opportunity to match the lowest price offered by an out-of-County vendor. If the County vendor confirms in writing within 24 hours, the award will be made to the Chatham County vendor.
3. J. C. Lewis Ford has agreed to match the low quote of Allan Vigil Ford.
4. Staff believes the total cost of \$40,976 for the purchase of two (2) 2009 Ford Explorers XLT to be fair and reasonable.

FUNDING: CEMA
(2123920 - 54.22001)

ALTERNATIVES:

1. Board approval of the \$40,976 purchase of two (2) 2009 Ford Explorers XLT from J. C. Lewis Ford, of Savannah, GA, for CEMA.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicles for the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
GLORIA SAUGH

ITEM H

ISSUE: Request Board approval of the \$21,302 purchase of a 2009 Ford F150 XLT SuperCrew cab pickup truck from J. C. Lewis Ford, of Savannah, GA, for the Sheriff Department.

BACKGROUND: This truck will replace unit #766 that is worn out beyond economic repair and is no longer suitable for operation.

FACTS AND FINDINGS:

1. In order to expedite the process, fax quotes were requested from three (3) Georgia dealerships. Three (3) vendors responded. Responses are as follows:

| | |
|-----------------------------------|----------------|
| J. C. Lewis Ford Savannah, GA. | \$21,302 |
| Allan Vigil Ford Morrow, GA | \$22,191 |
| Springfield Ford Rincon, GA | Non Responsive |

2. Staff believes the total cost of \$21,302 for the purchase of a 2009 Ford F150 XLT SuperCrew cab pickup truck to be fair and reasonable.

FUNDING: CIP - Vehicle Replacement
(3501567 - 54.22001 - 3503004A)

ALTERNATIVES:

1. Board approval of the \$21,302 purchase of a 2009 Ford F150 XLT SuperCrew cab pickup truck from J. C. Lewis Ford, of Savannah, GA, for the Sheriff Department.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicles for the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM I

ISSUE: Request Board approval of the \$37,185 sole source purchase of a Kardex Lektriever Series 2000 vertical carousel filing machine from Modern Business Systems, Inc., of Augusta, GA, for Voter Registration.

BACKGROUND: Voter Registration is currently using Kardveyer Series 80 filing machines. The Kardveyer Series 80 filing machines have reached the maximum capacity and requires an over abundance of office space.

FACTS AND FINDINGS:

1. The Kardex Lektriever Series 2000 vertical carousel filing machine will provide needed additional filing space and will also free much needed additional office space.
2. The Series 2000 will replace four (4) of the older Series 80 machines and only require half the amount of office space. Filing space will increase 25% and allow for many years of filing expansion. The Lektriever Series 2000 has compatible filing trays thus eliminating the need to purchase new trays.
3. Modern Business Systems, Inc., is the sole provider for this area. They have provided quality service on their products for the past 15 years. Modern Business Systems will allow credit to Chatham County on the Series 80 machines. However, the County is in the process of inquiring if surrounding County Voter Registration Offices are interested in purchasing the old filing machines at a fair market price.
4. Staff believes the total cost of \$37,185 for the Kardex Lektriever Series 2000 filing machine to be fair and reasonable.

FUNDING: General Fund/M & O - Voter Registration
(1001401 - 54.25001)

ALTERNATIVES:

1. Board approval of the \$37,185 sole source purchase of a Kardex Lektriever Series 2000 vertical carousel filing machine from Modern Business Systems, Inc., of Augusta, GA for Voter Registration.

2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to provide the necessary equipment for the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM J

ISSUE: Request Board confirmation of the emergency approval of Change Order No. 1 in the amount of \$1,762 to the contract with Kerby Enterprises, Inc., for additional work for the construction of a Restroom Facility and Pump House at Kings Ferry Park.

BACKGROUND: On 7 November 2008, the Board awarded a construction contract to Kerby Enterprises, Inc. for the construction of a Restroom Facility and Pump House at Kings Ferry Park

FACTS AND FINDINGS:

1. During the permitting inspection, the elevation of the Kings Ferry site was discovered to be in a flood zone that required the concrete slab be raised several feet, or flood vents be installed. It was determined by staff that installing the vents was the most cost effective solution. Since it was necessary to add this additional work to the contract while the contractor was still on-site, staff requested and received an Emergency Approval to add the vents to the project.
2. Staff requested emergency approval from the Chairman in order to keep the project on schedule. He concurred (see attached page 21) and directed staff to seek Board confirmation at their next scheduled meeting.
3. Contract history:

| | |
|--------------------------------|--------------|
| Original Contract (11-7-08) | \$124,959 |
| Change Order No. 1 (3-13-09) * | <u>1,762</u> |
| Revised contract amount | \$126,721 |

*emergency approved

FUNDING: CIP - Parks & Recreation
(3506100 - 52.22001 - 35030877)

ALTERNATIVES:

1. Board confirmation of emergency approved Change Order No. 1 in the amount of \$1,762 to the contract with Kerby Enterprises, Inc., for additional work for the construction of a Restroom Facility and Pump House at Kings Ferry Park.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to confirm emergency approved change orders when it is necessary for the completion of construction projects.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM K

ISSUE: Request Board approval to authorize a professional services task order contract for an amount not to exceed \$150,000 with Kern-Coleman & Company for engineering services on County Projects.

BACKGROUND: There are numerous small construction projects that can be done by a variety of professional engineer and technical services companies that are either pre-qualified by the Georgia Department of Transportation or have demonstrated their capability to accomplish quality and timely work for the County.

FACTS AND FINDINGS:

1. This contract will be managed by task orders for specific tasks with deliverables for either lump sum or not to exceed amounts (e.g. time and materials).
2. Kern-Coleman & Company is a local engineering firm with demonstrated ability to provide quality and timely engineering services.

FUNDING: SPLOST - (1985 - 1993), (1998 - 2003), (2003 - 2008)
Land Bank Account
Capital Improvement Program (CIP)

ALTERNATIVES:

1. Board approval to authorize a professional services task order contract for engineering services, for an amount not to exceed \$150,000, with Kern-Coleman & Company.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award task order contracts when it is in the best interest of the County.

RECOMMENDATION: Staff recommends the approval of Alternative 1.

BUDGET APPROVAL _____
ESTELLE BROWN

ITEM L

ISSUE: Request Board to declare a 1996 Ford Club Wagon Van as surplus and approve the donation of the salvaged vehicle to the Town of Thunderbolt.

BACKGROUND: The Town of Thunderbolt has requested that Chatham County donate to them a used vehicle. They inquired about Chatham County's salvaged vehicles. They looked at the County's list of salvaged vehicles and discovered a 1996 Ford Club Wagon Van which will suit their needs.

FACTS AND FINDINGS:

1. The Town of Thunderbolt has requested the donation of a surplus County vehicle to meet a dire need within their organization. Please see the attached memo on page 22.
2. By State Law and County Policy, vehicles and equipment are disposed of when they reach the end of their useful life or are no longer required by Chatham County. Disposal is normally carried out by public auction. The County may also transfer these items to other government entities if it wishes.
3. Transfer to another governmental entity requires the approval of the County Commission. The Commission must also determine whether to donate the item at no charge, or whether to charge the Fair Market Value of the vehicle or some portion of that value.
4. The vehicle requested is a 1996 Ford Club Wagon Van, VIN 1FBJS31H4THB36775. This unit was a confiscated vehicle assigned to C.N.T. for many years and is in poor condition. Its Fair Market Value (FMV) is estimated to be less than \$1,500.

FUNDING: No funding required

ALTERNATIVES:

1. Board to declare a 1996 Ford Club Wagon Van as surplus and approve the donation of the salvaged vehicle to the Town of Thunderbolt.
2. Board to declare a 1996 Ford Club Wagon Van as surplus and approve the donation of the salvaged vehicle to the Town of Thunderbolt for a set price.
3. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve a request to declare an item surplus and authorize the transfer to another municipality.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
READ DEHAVEN

ITEM M

ISSUE: Request Board approval of the \$19,619 purchase of a 2009 Ford Taurus SE replacement vehicle for Purchasing and Contracting from J. C. Lewis Ford of Savannah and authorize the trade-in of a 2001 Mazda MPV Van.

BACKGROUND: This vehicle is a replacement and the vehicle used for trade-in is beyond repair and is no longer suitable for operation.

FACTS AND FINDINGS:

1. On 7 November 2008, the Board approved price quote for a 2009 Ford Taurus from J. C. Lewis Ford. The local car dealership has agreed to honor his price as quoted.
2. The vehicle selected was:

| | |
|------------------------------|---------------------|
| 2009 Ford Taurus | \$21,119 |
| Less trade-in 2001 Mazda Van | (<u>\$ 1,500</u>) |
| Total Purchase | \$19,619 |
3. Staff believes the total cost of \$19,619 for the 2009 Ford Taurus SE to be fair and reasonable.

FUNDING: General Fund/M&O - Purchasing and Contracting
(1001517 - 54.22001)

ALTERNATIVES:

1. Board approval of the \$19,619 purchase of a 2009 Ford Taurus SE replacement vehicle for Purchasing and Contracting from J. C. Lewis Ford of Savannah and authorize the trade-in of a 2001 Mazda MPV Van.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve the purchase of replacement vehicles for the using department.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
RUSHEDA ADESHINA

ITEM N

ISSUE: Request Board approval of the \$14,400 contract to The House Doctor, Savannah, Georgia for a replacement roofing system and carpentry repairs to the north and center bays of the Conservation Education Center for Public Works and Park Services - Solid Waste Restricted.

BACKGROUND: On 5 October 2007, the Board approved a resolution to become "The Greenest County" in Georgia. To expand services to residents, Chatham County Public Works and Park Services and the Board of Commissioners are opening the Resource Conservation Education Center, on Eisenhower and Seawright Drives.

FACTS AND FINDINGS:

1. The old Mosquito Control facility is being renovated to become the new Resource Conservation Education Center. Due to the condition of the bay areas it is necessary to replace the existing roof with a new "green" shingle roof system and make carpentry repairs to the bays.
2. Staff obtained pricing from three (3) vendors and responses are as follows:

| | |
|---------------------------------------------|----------|
| The House Doctor Savannah, GA | \$14,400 |
| Weather Proofing Specialists Fleming, GA | \$16,800 |
| Chris Morris Savannah, GA | \$19,100 |

- 3.. Staff believes the price quoted by The House Doctor to be fair and reasonable.

FUNDING: Solid Waste Restricted
(5404510 - 54.12009)

ALTERNATIVES:

1. Board approval of the \$14,400 contract to The House Doctor, Savannah, Georgia for a replacement roofing system and carpentry repairs to the north and center bays of the Conservation Education Center for Public Works and Park Services - Solid Waste Restricted.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to award contracts to the low responsive, responsible bidder.

RECOMMENDATION: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
CHRIS MORRIS

ITEM O

ISSUE: Request Board approval of Change Order No. 1, in the amount of \$ 1,976, to the construction contract with Ansley-Sheppard-Burgess Company, for additional gates and fencing and two (2) J-Channel and Hydro Static vents, for the construction of a Maintenance Building for the Chatham County Soccer Complex.

BACKGROUND: On 19 December 2008, the Board approved a construction contract with Ansley-Sheppard-Burgess Company for the construction of a Maintenance Building for the Chatham County Soccer Complex.

FACTS AND FINDINGS:

1. During construction, it was determined by staff that additional fencing was necessary to allow movement of vehicles around the inner fence area. The additional fencing includes 20' of fence and fence gates and barb wire. Building Safety and Regulatory Services also ordered the vents to be added due to the flood zone of the construction site.
2. Contract history:

| | |
|------------------------------|--------------|
| Original Contract (12-19-08) | \$ 57,076 |
| Change Order No. 1 (pending) | <u>1,976</u> |
| Revised contract amount | \$ 59,052 |

3. Staff believes the price for the change order from Ansley-Sheppard-Burgess Company to be fair and reasonable.

FUNDING: 2005 DSA Series Bonds - Animal Control Shelter
(3703910 - 54.13011- 37032297)

ALTERNATIVES:

1. Board approve Change Order No. 1, in the amount of \$ 1,976, to the construction contract with Ansley-Sheppard-Burgess Company, for additional gates and fencing and two (2) J-Channel and Hydro Static vents, for the construction of a Maintenance Building for the Chatham County Soccer Complex.
2. Provide staff other direction.

POLICY ANALYSIS: It is consistent with Board policy to approve change orders necessary for the completion of projects.

RECOMMENDATIONS: Staff recommends approval of Alternative 1.

BUDGET APPROVAL _____
TOM DRANE

PREPARED BY _____
PURCHASING AGENT

=====

XI. FIRST READINGS

Proposed changes to ordinances must be read or presented in written form at two meetings held not less than one week apart. A vote on the following listed matters will occur at the next regularly scheduled meeting. On first reading, presentation by MPC staff and discussion only by Commissioners will be heard. Comments, discussion and debate from members of the public will be received only at the meeting at which a vote is to be taken on one of the following listed items.

None.

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XII. SECOND READINGS

1. **THE PETITIONER GLADYS WISE IS REQUESTING A REZONING AT 51 JOHNNY MERCER BOULEVARD FROM A PUD-IS-B (PLANNED UNIT DEVELOPMENT-INSTITUTIONAL-BUSINESS) TO A SPECIAL USE APPROVAL OF A FITNESS CENTER (LIMITED); PHOTOGRAPHY STUDIO; SPECIALTY SHOP; AND THE TEACHING OF MUSIC, VOICE AND DANCE WITHIN THE EXISTING PUD-IS-B DISTRICT. THE MPC RECOMMENDS APPROVAL.
MPC FILE NO. Z-090202-00006-1
[DISTRICT 4.]**

Commissioner Odell said, I'll make a motion to approve. Commissioner Farrell said, second.

Chairman Liakakis said, we have a motion on the floor and a second to approve. Let's go on the board. The motion carried unanimously. [NOTE: Commissioner Gellatly was not present.] Chairman Liakakis said, the motion passes.

ACTION OF THE BOARD:

Commissioner Odell moved to approve the petition of Gladys Wise requesting a rezoning at 51 Johnny Mercer Boulevard from a PUD-IS-B (Planned Unit Development-Institutional-Business) to a Special Use approval of a fitness center (Limited); photography studio; specialty shop; and the teaching of music, voice and dance within the existing PUD-IS-B district. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Gellatly was not present.]

AGENDA ITEM: ~~XI-1~~
AGENDA DATE: ~~March 13, 2009~~

AGENDA ITEM: XII-1
AGENDA DATE: March 27, 2009

TO: BOARD OF COMMISSIONERS
THRU: R. E. ABOLT, COUNTY MANAGER
FROM: THOMAS L. THOMSON, EXECUTIVE DIRECTOR

LEGAL NOTICE/AGENDA HEADING:

The petitioner Gladys Wise is requesting a rezoning at 51 Johnny Mercer Boulevard from a PUD-IS-B (Planned Unit Development-Institutional-Business) to a Special Use approval of a fitness center (Limited); photography studio; specialty shop; and the teaching of music, voice and dance within the existing PUD-IS-B district. The MPC recommends approval.
MPC File No. Z-090202-00006-1

ISSUE: The petitioner is requesting approval of special uses to allow a limited use fitness center; photography studio; specialty shop; and the teaching of music, voice and dance within a PUD-IS-B (Planned Unit Development-Institutional-Business) zoning district.

BACKGROUND:

The subject property was rezoned from P-R-A (Planned-Residential-Agriculture) to PUD-IS-B in March, 2000 (MPC File No. 98-12305-C). The initial rezoning petition request was for an amendment to the P-R-A zoning district to allow personal service shops (e.g., beauty salons, barber shops, and Laundromats). The MPC recommended denial of this petition to the Chatham County Commission. The County Commission denied the petition but asked the MPC to consider an alternative zoning district for the property. Subsequently, the property was rezoned to PUD-IS-B and a concept plan to establish an office park was approved.

The beauty salon received an Occupational Tax Certificate in August, 2001 but it was later determined by the Assistant County Attorney that this use was not allowed within the PUD-IS-B district. The salon owner requested special use approval, which the MPC granted in January, 2002 (MPC File No. P-020109-38436-1). Additionally, the Board approved an amended General Development Plan/Group Development. Since that time, the procedure for special use approval has changed. The Georgia Zoning Procedures Act, O.C.G.A Section 36-66-3(4)(E), now requires that the granting of a permit relating to special use is an action reserved for local elected bodies. Therefore, the MPC must make a recommendation to the County Commission regarding a requested use that is not specifically permitted within the PUD-IS-B zoning district.

FACTS AND FINDINGS:

1. As required, all property owners within 200 feet of the subject site were notified and the site was properly posted. The site is not within the boundaries of a known neighborhood organization.

2. **Existing Development Pattern:**

The site contains 2.85 acres and is located on Whitmarsh Island. The site is currently developed with a florist shop/boutique/plant nursery, a chiropractor's office, an attorney's office, two general office uses, and a beauty salon. The beauty shop was approved in January, 2002. The MPC found that a beauty salon, limited to seven stalls, would be compatible with the overall development plan for the project.

The adjacent land uses and zoning districts include:

| <u>Location</u> | <u>Land Use</u> | <u>Zoning District</u> |
|-----------------|-------------------------------------------|------------------------|
| North | Vacant portion of Board of Education site | R-1 [1] |
| East | Multifamily (Mercer Pointe) | PUD-M-6 [2] |
| South | Multifamily (Mercer Pointe) | PUD-M-6 |
| West | Multifamily (Hammocks) | PUD [3] |

[1] One-family Residential
 [2] Planned Unit Development-Multi-family – 6 Units/Acre
 [3] Planned Unit Development

3. **Existing PUD-IS-B Zoning District:**
 - a. **Intent of the PUD-IS-B District:** According to the Zoning Ordinance, the definition of a PUD-IS-B district is one that allows "...any institutional, professional, or office development consisting of less than three acres."
 - b. **Allowed Uses:** Uses allowed include: (1) cultural facilities; (2) office health services/practitioners; (3) health service clinics; (4) general office uses; and (5) other business uses. The proposed uses would be considered under Use (5).
4. **Land Use Element:** The Chatham County-Savannah Tricentennial Comprehensive Plan Future Land Use Map designates the subject property as Commercial Suburban. Commercial Suburban is defined as intermediate scale business districts supporting shopping centers and corridor commercial uses.
5. **Transportation Network:** The project site is adjacent to Johnny Mercer Boulevard, a divided four lane arterial roadway, but it does not have direct access to Johnny Mercer. Access is from a private drive that also serves the Mercer Pointe condominium complex. The private drive intersects Johnny Mercer Boulevard at a traffic signal installed at the intersection of Johnny Mercer Boulevard and Whitemarsh Island Road.
6. **Public Services and Facilities:** The property is served by City of Savannah water and sewer, the Metropolitan Police Department, and the Southside Fire Department.
7. The Zoning Ordinance gives the elected body great latitude to determine appropriate uses that are deemed compatible with a project's overall development plan. Clearly, as evidenced by prior approvals, the project area has been appropriate for limited office and retail usage. The previously approved beauty salon is akin to a personal service shop, and the florist/boutique/plant nursery is a use listed under specialty shops in the Ordinance. Specialty shops, which include such uses as gift shops, florists, camera shops, and interior decorating offices, are limited in size to not more than 1,200 square feet of total sales and storage area. This limited size mirrors existing development at the project site and is both appropriate for the area and compatible with the project's approved site plan.
8. The petitioner has also requested use approval for a limited size fitness center. Such a use can be compatible with existing and proposed development provided that limitations on size and hours of operation be made a part of the use approval. Similar to other existing and proposed uses, the fitness center should be no larger than 1,200 square feet of gross floor area, and the hours of operation should be limited to between the hours of 7:00 a.m. and 7:00 p.m.

SUMMARY OF FINDINGS

1. Will the proposed zoning district permit uses that would create traffic volumes, noise level, odor, airborne particulate matter, visual blight, reduce light or increased density of development that would adversely impact the livability or quality of life in the surrounding neighborhood?
Yes ___ No X
2. Will the proposed zoning district permit uses that would adversely impact adjacent and nearby properties by rendering such properties less desirable and therefore less marketable for the type of development permitted under the current zoning?
Yes ___ No X
3. Will the proposed zoning district permit uses that would generate a type or mix of vehicular traffic on a street or highway that is incompatible with the type of land use development along such street or highway?
Yes ___ No X
4. Will the proposed zoning district permit uses that would generate greater traffic volumes at vehicular access points and cross streets than is generated by uses

permitted under the current zoning district to the detriment of maintaining acceptable or current volume capacity (V/C) ratio for the streets that provide vehicular access to the proposed zoning district and adjacent and nearby properties?

Yes ___ No X

5. Will the proposed zoning district permit uses or scale of development that would require a greater level of public services such as drainage facilities, utilities, or safety services above that required for uses permitted under the current zoning district such that the provision of these services will create financial burden to the public?

Yes ___ No X

6. Will the proposed zoning district permit uses or scale of development that would adversely impact the improvement or development of adjacent and nearby properties in accordance with existing zoning regulations and development controls deemed necessary to maintain the stability and livability of the surrounding neighborhood?

Yes ___ No X

7. Will the proposed zoning district permit development that is inconsistent with the comprehensive land use plan?

Yes ___ No X

ALTERNATIVES:

1. Approve the petitioner's request to allow a limited use fitness center; photography studio; specialty shop; and the teaching of music, voice and dance within a PUD-IS-B (Planned Unit Development-Institutional-Business) zoning district.
2. Deny the petitioner's request.

POLICY ANALYSIS:

The proposed use approvals are consistent with the Future Land Use Map designation and are compatible with the existing development pattern at the project site. Limitations on size and hours of operation further enhance compatibility.

RECOMMENDATION: The MPC and Director of Building Safety and Regulatory Services recommend Approval of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

PREPARED BY: Jim Hansen, AICP, Director
Development Services

February 17, 2009

Gregori Anderson, Director
BUILDING SAFETY AND REGULATORY SERVICES

DATE: FEBRUARY 17, 2009
TO: CHATHAM COUNTY COMMISSION
FROM: METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Gladys Wise, Petitioner/Owner
51-B Johnny Mercer Boulevard
MPC File No. Z-090202-00006-1

MPC ACTION

Approval of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

MPC STAFF RECOMMENDATION

Approval of the request to grant use approval for the following specified uses: limited use fitness center, photography studio, specialty shops, and the teaching of music, voice and dance. Said uses shall be limited in size to no more than 1,200 square feet of gross floor area, and further, a fitness center shall be limited to hours of operation between 7:00 a.m. and 7:00 p.m.

MEMBERS PRESENT: 8 + Chairman

Jon Todd, Chairman
Susan Myers, Treasurer
Ellis Cook
Stephen R. Lufburrow
Lacy Manigault
Timothy Mackey

Shedrick Coleman, Vice-Chairman
Michael Brown
David Hoover

VOTING FOR MOTION

Jon Todd
Shedrick Coleman
Susan Myers
Michael Brown
Ellis Cook
Stephen Lufburrow
Lacy Manigault
David Hoover
Timothy Mackey

VOTING AGAINST MOTION

None

***ABSENT OR **FAILING TO VOTE**

*Ben Farmer
*Adam Ragsdale
*Robert Ray
*Russ Abolt

FOR APPROVAL: 9

FOR DENIAL: 0

ABSTAINING: 0

Respectfully submitted,

/s/ Thomas L. Thomson

Thomas L. Thomson
Executive Director

/cbm

Enclosure

**Petition of Gladys Wise
51-B Johnny Mercer Boulevard
MPC File No. Z-090202-00006-1
February 17, 2009**

MPC recommends that the following described property be rezoned from its present PUD-IS-B (Planned Unit Development Institutional Business) classification to a Special Use approval of a fitness center (limited); photography studio; specialty shop; and the teaching of music voice and dance within the existing PUD-IS-B district.

LEGAL DESCRIPTION

Beginning at a point located on the centerline of Johnny Mercer Blvd. approximately 1783 feet north of its intersection with the centerline of Cedar View Drive, thence proceeding in a southeasterly direction along a curve to the left having a central angle of 37 degrees 30 minutes, a radius of approximately 650 feet and a curvilinear distance of approximately 420 feet to a point, thence proceeding westerly along a line North 84 degrees 10 minutes West a distance of approximately 350 feet, thence in a northerly direction along a line North 11 degrees 05 minutes East to its intersection with the centerline of Johnny Mercer Blvd., thence southeasterly along the centerline of Johnny Mercer Blvd back to the point of beginning.

The property is further identified by the Property Identification Number as follows:

P.I.N.: 1-0139 -01-002

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2. AMENDMENT TO THE CHATHAM COUNTY PERSONNEL ORDINANCE AND PROCEDURES MANUAL, POLITICAL ACTIVITY, ARTICLE III-106, TO PROHIBIT A COUNTY EMPLOYEE FROM HOLDING ELECTIVE OFFICE.

Chairman Liakakis said, Mr. Manager.

County Manager Abolt said, Mr. Chairman, Dr. Thomas, Commissioner Stone and gentlemen, this is an issue that I know the Board is familiar with as discussed on and off for quiet a while. I present this as a recommendation coming from me. It is no reflection on the quality and the caliber of the wonderful employees who are encumbranced in public office in other jurisdictions, but looking at it from a very realistic standpoint, I think it's fair to say that more and more when a person chooses to seek elective office, it becomes a career choice and not one of an extracurricular activity. Absent the proposed ordinance change, I know that some of you can be made aware that government is very transparent. We have a requirement for open records and total accountability. Anytime a member of County staff is serving in the capacity other than the job that he or she was hired to do, and doing so in a public capacity in another jurisdiction, it could beg the question from the media and from constituents in that jurisdiction or in the County as to who's paying for that employee's time, who's managing the time, and again without reflecting at all but rather praising those who are currently encumbered, I've got to tell you from the beginning this is a problem waiting to happen. I ask that you correct it now when there's no election in the offing. There was certainly some discussion in the Atlanta area about making more positions than nonpartisan, and really when you look at it I could never in my own mind define and satisfy myself as to why a part of the County ordinance it prohibited partisan versus nonpartisan. The issue is still the same. It's accountability and our ability to deliver service and manage County employees who are paid for by public tax dollars.

Chairman Liakakis said, I need a motion — clear the board please. I need a motion on the floor for approval.

Commissioner Thomas said, I just have a question, Mr. Chairman. Chairman Liakakis said, sure. Commissioner Thomas said, I mean, not really a question but a statement, and I understand what the County Manager is saying and implying. I've had a hard time struggling with this because there's a saying that if it ain't broken, you know, why are you trying to fix something that's not broken, but I understand that you're looking long — long term, not right now because we do have four employees, according to the minutes that are currently serving in the elective office, and I'm hoping, you know, that this is not politically driven. There's been a lot of discussion before in terms of one person, and I'm hoping that we would get to the point where we will judge people on their merit rather than from a political standpoint.

Chairman Liakakis said, well, let me — there was a lot of discussion on this, and let me say this so that everybody understands, and we've had some discussion on it also. Number one, is all of the employees that are there now, they're being grandfathered in. They can continue to run for the office that they're in now, and one of the things that, you know, have been discussion — let me just give you an example. Suppose, you know, we have SPLOST negotiations, LOST negotiations, and all of that. Now this is no negative towards the City of Savannah, but let's say we've got an employee that becomes the Mayor of the City of Savannah and what happens there is this.

We're doing negotiations, now who does that employee owe loyalty to? Is it going to be for the City or for the County, and it's not fair for the County to put some kind of restrictions and pressure on that employee that happens to be the Mayor of the City of Savannah, telling them, hey, we want you to, you know, to push for the County in this instance. It could very well happen like that because we've seen what has happened in some of the people that might have served on this Commission in the past. One of the things that we go for the SPLOST and they say, no, they don't want to, you know, they're not accepting what was done and negotiated for the tax money, or there's a very — it could be some serious particular issue, and it's not fair for the County to put that kind of pressure on that employee, nor is it right in an instance like that where that head of that particular council can say something that will be detrimental to the County. See, that's what we need to look at. It's not about the service because all of the employees now that work — that serve in their four capacities, whether it happens to be Garden City, Port Wentworth, Thunderbolt or Garden City [sic] — Savannah, this situation can get very grievous and we can cause the County a lot of problems when we do have a situation like that. It could hold up the negotiations for the taxes, it could hold up the negotiations for other things, and that's a situation that we've got, but the four employees that are their now, they can continue to run for their particular office, but we have to look at it realistically how is that going to affect the County.

Commissioner Thomas said, I am —. Chairman Liakakis said, wait a minute. It's Harris [Odell] first, Priscilla [Thomas]. Harris [Odell].

Commissioner Odell said, thank you, Mr. Chairman. And I, like Pat Shay, will also listen to Commissioner Stone who told me not to do a lot of talking in this Commission, and I apologize. But what I'd like — I know all four of our employees and they are really good folks, they're good people. I've known Anna Maria [Thomas] when I first started practicing. We've known one another forever, over 25 years. I knew Van Johnson when he had hair, and I would just ask to hear from them. They're our employees and I am really torn between this. I understand the ordinance, and a side of me says that it's the right thing to do because it avoids complication. And on the other side, the lawyer says freedom; just because they're our employees, should they not have the freedom of, say, if you worked at Union Camp or other places to participate in government. You can't be your own supervisor. You can't work here as Director of Computers and then be a Commissioner and you supervise — you can't be your own supervisor, and I think everyone understands that, but I'd like to just hear briefly from you all what you think about it.

Chairman Liakakis said, I was going to do that. Commissioner Odell said, I know you were, and I'm not preempting you. Chairman Liakakis said, okay. Misty [Selph].

Ms. Misty Selph said, good morning. Thank you for this opportunity. My name is Misty Selph and I work in the Parks & Recreation Department as a Facilities Manager, but after hours when I leave work at five o'clock, I go home and I serve in my city, Garden City, as a council member. Prior to seeking elected office, I sought the permission of my Director. I also consulted Human Resources and found that there was nothing in the County policy that prohibited me from seeking a non-partisan position. Based on this, I chose to seek public office. I was pleased to be elected for the City of Garden City and I have proudly served for four years, and I plan to run again this year. During my term of office there have been no conflicts of interest between my position as a County employee and my service in public office. You see, when I go home unfortunately the difference between you and I is I serve after five o'clock. Our council meetings are all after hours so there is no interference between my daytime job and my evening profession as a city council member. I enjoy my job in Parks & Recreation and feel that I serve this Commission very well in that capacity. But when I leave work and I go home, I want to be able to participate and serve the community that I love so. Like all of you, I do that through elected office. Like all of you, I serve my constituents well, and like many of you, I balance a career and elected office. For me, it truly is public service for, you see, I do not receive any compensation for the time that I spend in elected office. I ask that you not support this proposed amendment. I ask that you protect my democratic right to hold elected office, to not prohibit me from seeking a higher office that poses no threat or conflict to this current Commission. I hope that you will allow me to continue to be a good ambassador as a County employee but also in my right to seek elected office. Thank you.

Ms. Anna Maria Thomas said, hi. I'm Anna Maria Thomas. I have been a Chatham County employee for 33 years come June, and I have no plans on retiring. I love my job and I love my other job as the Mayor of the Town of Thunderbolt. When Mr. Chairman said that we were grandfathered in, I think we're grandfathered out. If I lose my election, I'm out. I cannot run again. My fellow constituents here, if they want to run for Mayor, they cannot do that. They have to run for their same positions. That is not fair. There has been no conflict of interest. I make sure I turn in all my time if I'm going on vacation, going on sick time, which I have years of sick time, so I have no problem turning in my time and doing my job. I'm very proud of the work I've done for Thunderbolt. I think I have made a difference in my town. I'm a terrific County employee. You all should be very proud that you have four such hard-working and dedicated Chatham County employees. Also, the Youth Commission here, what kind of example are you setting for the Youth Commission here telling them that if you're a County employee you cannot run for political office, you cannot make a difference in your community because you're a County employee. Please I ask you to vote no, file thirteen this project. Thank you.

Mr. James Curry said, good morning, ladies and gentlemen of the Board of Commissioners. I'm James Curry. I do appreciate the opportunity to come and to participate in this public gathering. Ask not what your community can do for you as what you can do for your community. I believe you do what you do because of the love and the compassion for your community. I believe you breath the long hours, the hectic schedules to make a positive impact in

your communities. I do believe you enjoy receiving the praises of your constituents when you've made the right decisions and, believe me, I know that you regret the criticism from those would feel otherwise. I know you don't sit on this Board because you have nothing else to do. I believe you enjoy seeing the fruit of your labor when you pass a law that benefits your constituents. What I want I believe you can give it to me. This is the opportunity to continue to represent my community that I love without the fear of giving up the job that I love to do, the job I do for the County and the customers of the County, your constituents. I ask that you don't pass this proposal to change the Personnel Policy, and again I ask for the opportunity to do as you do — to give back to your community. Ask not what your community can do for you. Ask what you can do for your community. Thank for.

Chairman Liakakis said, thank you, James [Curry]. Kathryn [Pinckney], you wanted to ask something?

Youth Commissioner Pinckney said, I just wanted to know what elected office does Mr. Curry hold? Mr. Curry said, City of Port Wentworth. Youth Commissioner Pinckney said, okay.

Mr. Van Johnson said, good morning again. My name is Van Johnson. I am the Employee Services and Training Manager in the Human Resources and Services Department. I thank you for the opportunity again to again address you this morning. I thank the County Manager for his support of all of us, both professionally and personally. I met Mr. Abolt 20 years ago, it's hard to believe, when I did have hair as I was a graduate student and he taught an ethics class, but I submit to you that in the last 20 years he's given me the greatest ethical lesson because he's certainly, without question, one of the most ethical men I know and I apologize for putting him in what must be a very uncomfortable position watching this discourse between his superiors and his subordinates. I apologize to my colleagues behind me because I know without a doubt that most of this is about me, and I apologize to them because it's very unfortunate. But I thank you for your support throughout the last 15 years that I've served Chatham County, six in an elected capacity. I thank you for never putting me in a position to be threatened or feel threatened by positions I've taken. I thank you for respecting me as your employee during some hours of the day and as your colleague at other times. I thank you for taking the high road when you've been approached by what I'm sure is well-meaning citizens asking you to take care of the Van Johnson problem. I thank you when people would allege that we were doing or me particularly were doing all kinds of things, but I know that you know the truth. I know that you know of the over 200 hours just in 2008 that I've taken off of my own personal time that the County Personnel Ordinance and Procedures Manual allows me to accrue. Certainly, you know of the over 150 hours that I've donated of my own free time that I'm not compensated for. You know what the truth is and I thank you for being ethical people to take the high road and not to play into that stuff. I am a professional, trained as a student and a practitioner in the ever-evolving field of public administration and public policy. I am one of the 1,600 employees that implement the policy direction that you give. I am the individual that is charged with serving as the advocate for employees. So while I would appear to be unaffected by this and grandfathered, I feel the need to advocate again for employees.

Mr. Johnson said, in my mind it's easy for people to sit on the sidelines and to complain, for people to sit in the stands and quarterback from there, but as you know, the highest public calling is to either serve as a soldier or sailor, an airman or marine, to serve as a law enforcement officer or a fire fighter, and absolutely to serve as an elected official, and certainly you know what we go through. And as we continue to seek qualified and competent individuals to serve in this community, historically as you well know, elected officials are either retired, self employed or independently wealthy. Well how do we get qualified and competent individuals to serve if we can't get folks that work every single day. And I think in this case you have four individuals that are highly qualified, highly competent, and that I think have served you well.

When you are looking at changing policies, certainly you know that there are some considerations that need to be considered, and I will address some of these very, very briefly. Certainly, you are a political subdivision of the State of Georgia and what if the State of Georgia decided, well, if you want to serve in the State House, you can't serve as a County Commissioner. Would you think that would be fair. It wouldn't be, but certainly they can change the rules by which you serve because then you are their creation. Certainly, we have been here since 1789, I believe, and we have not had any issues at all since 1789. Certainly, it is one thing to think about what SPLOST is, what MOST is and all of these different things that require this intergovernmental cooperation, but I submit to you that this last SPLOST went through probably smoother than any other one because we had the cooperation, because you had people that you could talk to, and the reality is in all fairness that the next SPLOST is not for another five years. So this is not a today issue.

Another consideration is, well, is it legal and I believe that you do have the right to determine the terms of employment for your employees. However, our Federal and State Constitutions provide that all citizens have the right to hold elected office unless disqualified by the very same Constitution. If you look, our very own County Attorney's office has issued several opinions throughout the years every time this question has come about affirming the right of employees to hold nonpartisan political office. They should not be penalized just because they just happen to be County employees who on their own time serve their community. So is it legal?

The second one is does it address some intimate or present needs? As you know State Representative Carter had introduced a measure to make county constitutional officers nonpartisan. As you are familiar, this measure probably will not pass this year. So if it has not changed, then why change your policy. Will it be impetus for you to be able to be able to change this policy now other than the fact that that's what you want to do, which of course we affirm that's your right to do.

And finally, what are other local entities doing? Certainly, in the county government we look for best practices, we look at NACo, we look at ACCG, we look at our neighboring municipalities, and we look to see what are they doing in addressing the same issues, and I will submit to you there has been no changes by any local entities in recent memory, as affirmed by NACo and ACCG. The Federal Government allows employees to hold elected office, the State of Georgia allows employees to hold elected office, the City of Savannah — although I know you might have received information to the contrary — the City of Savannah, per our City Attorney, has allowed citizens to participate — their employees to participate as elected officials. The School Board — certainly, Mayor Buelterman is a wonderful employee of the School Board. Most of the Atlanta area jurisdictions and cities and counties across this country — I know that Bryan County, I believe, does not allow it, but we've never compared ourselves to Bryan County. We're just not similar organizations. They allow their employees to run and serve for elected office as long as they are not running for a seat for other jurisdiction for which they work..

So I just — I wanted to come in and throw that out at you. Certainly, you are the Commission. Certainly, you will do what you choose to do and, certainly, we will abide which you — what you have chosen, and certainly, if that is the case, then, you know, we would have some decisions to make. But is legal? Does it address some intimate or pressing need? What are your local entities and fellow commissioners doing, and is it right? There's been no problem. Certainly, the County Manager said there's been no problem with the individuals here. You make policy to address issues, but, I mean, doing this policy now where there is no issue is tantamount to saying let's evacuate Chatham County because a hurricane might come throughout in the Summer.

Mr. Johnson said, God bless you and thank you so much for your time.

Chairman Liakakis recognized Commissioner Stone.

Commissioner Stone said, I appreciate hearing from all of the employees and I just want to share a couple of concerns that I have just to bring it forth. When we did the police merger I could see a problem in this situation if one of our employees were to be mayor of in this case, because the merger was with the City of Savannah and the County. And if we look at any further consolidation issues, I don't know whether that would be a problem. The other concern that I have is confidential information that might be confidential to the City of Savannah or might be confidential to Chatham County or it might be confidential to the Town of Thunderbolt. Sometimes we are all privy to information that must remain confidential, so those are just a couple of concerns that I had that I thought that I ought to bring forward. If we are looking towards in the future more consolidation, especially with the City of Savannah, is this going to pose problems down the road? I just thought I'd bring those up.

Chairman Liakakis recognized Commissioner Holmes.

Commissioner Holmes said, Pete [Liakakis], thank you. I've heard of a [inaudible] that you mentioned something just now and I want you to touch bases with me on this, and we can do it another way if you don't want to do it here now, but you mentioned a problem waiting to happen. Would you like to —?

County Manager Abolt said, this is — I appreciate the words of all of our employees. I think you share with me the pride that I hold in them as co-career individuals, but it will happen. We will not have, in my estimation, always the blessing of having qualified employees that choose this second career in elective office. Repeatedly, and it's in some extent what Commissioner Stone said, I have run and I'm very proud of the very open government, and it's not uncommon for me to seek the advise of my department heads and other employees. It puts those employees in a very difficult positions, whoever they might be, if they're also holding public office, in another jurisdiction. It is also a situation, and this is reflective of our society which expects so much of elected officials that anytime an employee of Chatham County is seen during a traditional work hour doing something that is not traditional but carrying out the office of that person in another jurisdiction, then the question is posed, "Well, does the County Manager or that department head know that that employee was out doing something that was a part of his or her elective office?" It creates mistrust. Now you put the department head in the position of how do you deal with a situation like that? We're truthful, we're ethical and we will say it's this way. In the world in which we work, if we say it and it's truthful, which it always will be, it will always then be judged by the common folk as either we're defending that person or we're coming against the person and making that person more vulnerable in the political seat that they hold.

It is — I labored long and if this were my proposal, it was not prompted by anything other than a realization that this is going to one day be a serious problem because one day we will not have the quality of people that were just before you testifying. And if we find ourselves in a situation, and I can like it particularly with previous county commissions, if an elected official happens to be a county employee but in their capacity as an elected employee chooses to make some less than appropriate comments about a county commissioner, the chairman of the county commission, in the setting of that city council meeting it would not be a stretch to realize that the elected official, namely you or those who come after, will come to me, as the Manager, saying well do something about that person, they were very rude to me.

I'll give you another example, because it is reflective not at all of any of the incumbents, but we do a lot of services countywide and take for example the Director of Public Works and Parks Services, who provides drainage maintenance countywide. It would not be unreasonable in the future to assume that possibly a city councilman on another city council may not be satisfied with the work done in drainage maintenance. That person might choose — maybe not the best choice of words — to openly criticize the competency of the County's Director of Public

Works, who happens to be that employee's boss. What do you do in a situation like that? That is the type of predicament that we're in. Also on the way, which we fully embrace of open records, it would not be uncommon in any contested political campaign for, let's say, the opposition to a future employee of Chatham County seeking a higher office to say, "I want to see that employee's cell records, I want to know exactly what that person was doing." It creates a great expense and lost time in productivity.

Also the other thing it does, and this is why I chose my words about a career choice, it limits upward mobility within this organization if a person chooses elective office. If a person is very qualified as all these are, and as they aspire to positions of greater responsibility, those positions of greater responsibility in the organization I manage are very serious and, as you all know, I love my department heads but I work the bejeebers out of them. I cannot afford to have a department head during any time of the day or even night be inaccessible to me. Not by choice, but by career choice, and that's what I'm trying to avoid. I've spoken privates to one individual, who I have unbelievable respect for, and told that individual that whatever his professional life might carry him, he will reach a point when he has to make a career choice because there's a fork in the road, and that is precipitated by this policy, and it is out of really respect and love for that individual that I want to avoid that type of problem. I want to be able to say now when there's nothing on the horizon as far as other political office or elections pending, let's deal with it on the basis of the merit. If you don't want to do it, I understand and we will not do it, but the reason you're making a decision is not, you know, on the eve of an election in another jurisdiction where this might be fully interpreted as a political move to deny someone their rights to seek elective office.

Commissioner Holmes said, with that being said, Russ [Abolt], I'm going to give you my take on this, and hear me out very clearly. The individuals that I heard, that came before us a while ago, I don't know them personally, but I respect the job and the position that they hold. When I was elected, I was elected on the job and work that I do in my district, but at the same time, I was elected because of the character that people projected in me. And as I look back at what we are about to embark upon, I'm wondering with the alternative that we looked at here, number one, two, three, you know, I can easily say there should be a number four — leave it as it is. But I don't see number four on here, but that would be my fourth one to put on there because I really don't see anything to go against what my mind tells me to do, and I do that because I study things and I look at things and I listen at that word and how people state what they're doing, and I've heard one of my colleagues in the opening statement how this is possibly being driven, and I don't know where it's coming from and I don't know who is driving it on, but three years ago this came before us, and at that time I thought it was through and we all put it behind us. But for it to come back before us again, then I know now, it ain't as simple as it seems. So I'll vote my conscience on how this is going to go today and I'll leave it as it is.

Chairman Liakakis recognized Commissioner Shay.

Commissioner Shay said, thank you, Mr. Chairman. I'm going to vote my conscience today, too, and it has absolutely nothing to do with the four of you that came forward and spoke. I respect you and what you do and what you give so freely to your community in a way that anybody who's never done it can't possibly understand it. Right? I mean, you know, to be an elected official is an interesting club to join, but what's on my mind is that it's really hard to get quality people to run, especially for local elected office. It's really difficult because the pay is lousy, the hours are long, sacrifices are great, and unlike folk that can leave their community — and I don't mean to denigrate the sacrifices they make in doing so, and go to Atlanta or go to Washington and make laws up there, and then not really have to face the people that are affected by it in quite the same way that we do as local elective officials, it's hard. And the fact that when I look across this Commission table, other than Commissioner Stone and Commissioner Kicklighter, we've got a bunch of old dogs up here, you know. If we don't have a way to attract high quality young people into being willing to serve as local elected officials, then shame on us because our local governments are the most important governments we have. People don't understand that, that the government that's closest to them is the government that actually affects their day-to-day lives the most, and although you can be more famous by going to Washington or perhaps by going to Atlanta, and doing your thing because more people will hear about it one way or another, this is the government in my view and the governments that we have in our local communities are the ones that matter the most, and so I'm going to vote against it, not because of the merits or demerits of the arguments that have been made today, because I understand it's difficult to manage personnel period. I only have six in my company and we've got all kinds of conflicts all the time. It's difficult, but quality people are hard to come by and I recognize that not every person that ever seeks political office, whether they're Chatham County employees or not, are not always going to be a person of impeccable background or impeccable qualifications, but when I look around Chatham County — and I don't just say this because I'm a Chatham County Commissioner, although it will sound like it — I think the quality of the people that we have working in our organization are the highest quality people that I see in local government. It's ironic to me that we would then disqualify them from seeking the opportunity or the challenge of being a local elected official as a consequence, and that's all I'll say. Thank you.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, thank you, Mr. Chairman. Commissioner Holmes spoke about this being proposed three years ago. I'll have to say that great ideas tend to resurface — I'm just kidding on that. Actually, I proposed it three years ago and I'm glad that y'all shot it down because it was not refined to address the issue. Alderman Johnson hit the issue right on the head. This was geared not ever at him, but at the position in which he holds. It is a powerful position considering that we are in a merged agreement with the City of Savannah. We are in an agreement paying them to police our unincorporated areas. He actually has the same power at this moment as the

Mayor would have because he has a vote just like the Mayor. Thank goodness, he's a good man. I hope that you can take it as a true compliment, I feel as if one day you have a very good chance of being Mayor. You're a sharp individual and you're a good man and I've never known you to abuse your position whatsoever. But as I've stated back and warned back when we merged, the players at the table change over time. And I agree with you, Commissioner Thomas, if it ain't broke you don't fix it, but as we showed a little earlier, we also in government have to put out preventive medicine. We did that and bought new vehicles today before the old ones break down. In this case, we have a very good man that I don't fear him doing anything wrong. He's a good guy, but we in government have to plan for the future also, and there could come a time when a not so good person is elected and holds a seat and they're an employee here and they could really cause harm to Chatham County.

As far as the other areas, they are not in a position of mandatory type agreements with the County in which they could unduly put some type of pressure on their boss or the ultimate boss, which is the County Manager. As an elected official for Savannah, should you not be a good person or should a person that works for Chatham County that holds the position, because it's truly not about Van Johnson, it's about the position in Chatham County, I promise you that, it could really inflict a lot of harm here. I'll give an example. Under SPLOST there's two methods that determines how SPLOST monies are collected and distributed. Method 1 is the intergovernmental agreement which basically to use that method, the County must reach a consensus with one or more municipalities within the County representing at least 50% of the County's municipal population. That's Savannah. Method 1 is the preferred method if you want to pass SPLOST because you want all the cities, especially the city that has the largest population, to go along with it or there's a good chance that it won't be passed and the whole County could suffer.

Method 2 is population distribution. That's basically if the County and whatever municipality that does not agree, you can move forward with Method 2, but again that's not the desired way. The agreement that we have with the Police Department, along with SPLOST and many other incidents that can come up from time to time and which we're involved in negotiations just small — not small, but wanting to be paid for jail services in which the cities — I don't know if they have recently paid or not, the bill — but there's many occasions and incidents that there could be a major conflict should we have the wrong person working for Chatham County that holds that elected position. I believe to correct the problem — not problem — potential problem in the future, if an elected position would place a Chatham County employee as a leader of or part of a board who governs an area, who's population is greater than 51% of Chatham County's total population, the Chatham County employee should not be allowed to seek or hold that set of elected position. If a current employee meets the criteria, again he's a good guy and I'm not worried about Van Johnson. Let him keep it. Let him do it. He's grandfathered — would be grandfathered in, but as far as a flat across the board change of our policy, no, because there's no reason to stop anyone from holding the other elected positions. And as far as one thing you said, Mr. Johnson, that we could work here and hold a State position, we would actually have to resign from this position on this elected body to run for a State position, and, you know, that's a tough thing, but sometimes if in life we feel like we have something more to offer, we have to possibly give up something else that we love, and again it was never about you. From when I proposed three years ago, it's not about you today. I had nothing to do at all with this even coming back up. I talked with you the other day. It surprised me. That's it.

Chairman Liakakis recognized Commissioner Thomas.

Commissioner Thomas said, I just want to make a couple of statements. First of all, let me say that I have not spoken to any of the Commissioners up here in regards to this because you know how dear and close Mr. Johnson and I work together. So I want to make that perfectly clear. What bothers me the most, and I understand what we are trying to do and I agree in part what we need to do; however, the part that I do not understand is the fact that with regard to Mr. Johnson, the number of hours, the extra hours that he puts in — I'm not looking at you, I'm just looking, okay — the hours that he puts in on his own time, and let me tell you people, there are a lot of hours. He's not getting paid for it. He hasn't asked for any pay. He's doing these things on a voluntary basis, but yet he has to take his personal time, his sick days and that type of thing, in order whatever the requirements that we ask, and that's the part that I do not understand. I mean, because I feel that it's unfair to have him work all these extra hours and you mean to tell me you can't even give him a day or he doesn't have to use his sick days and that type of thing if he has to deal with these young people and what have you. I can't do it all by myself, but yet Chatham County is reaping the benefit because of these young people, and that's what I want to say. I mean, so, you know, we need to look — I'm not saying that we don't need to do it, but I think that maybe we need to find another way.

Chairman Liakakis recognized Commissioner Kicklighter.

Commissioner Kicklighter said, Mr. Johnson, you spoke of surrounding areas that allow their employees to serve or not, because Commissioner Odell asked the question last time, we received a memo and actually the survey ran, and the question was "Are your current county employees permitted to run for an elective office?" Cobb County, no; Bryan County, no; Gwinnett County, no; Hall County, no; Effingham County, no; Columbus, no; Ware County, no; Athens-Clarke County, no; the Board of Education in Savannah, yes; City of Atlanta, no; Fulton County, no; City of Savannah, yes. And so it's not totally crazy. I mean, there's a lot of people that they don't allow it, and I just wanted you to know that there are some. It's just not as many others.

Chairman Liakakis said, let me go — Van [Johnson], let me just say this to clarify it because, you know, it's the will of the Commissioners today whether we want to do that or just let it drop for now and go from there, but most of the cities and the counties in the State of Georgia do not allow. A survey was taken and that was taken on those

specific ones, but the information that came from the big bodies over there that the majority of the cities and counties in the State of Georgia do not allow that. But let's just move on from this and then go ahead because it had nothing to do with you, this particular thing, but there were comments and concerns about this particular situation. Go ahead, Van [Johnson].

Mr. Johnson said, thank you. Certainly, I mean, there were other counties that were not mentioned: Bibb County, Augusta. We also used Muscogee County-Columbus as well that were not included in the survey. I wanted just to briefly address —. Commissioner Kicklighter said, Columbus-Muscogee is no. Mr. Johnson said, oh, okay. — Commissioner Stone's issue and I will tell you from my last 15 years in the County, if you have a County employee that divulges proprietary or confidential information, they are gone, and I think Mr. Abolt has made that very clear during the time I've known him, the Sheriff has, and our department heads. We don't tolerate that, and I think the same thing would happen even on the City's side, and I think because we are under such a microscope, I think we've taken quite care because obviously, as Commissioner Holmes said, people elect us because of our character, people elect us because of our credibility, and the reality is that if those types of trust are compromised, certainly it compromises not only as an employee by which it is by ordinance an opportunity for them to be immediately terminated for personal conduct, it is an opportunity on the other end for the public that put a trust in you to now look at you with some type of disdain because you have violated some measure of the trust that has been given to you.

The other thing I wanted to mention, very briefly, is that it obviously, you know, the City of Savannah would be a major player in that, and certainly you can dispose of all of that just by saying that the Mayor of the City of Savannah shall not be a County employee period. Commissioner Kicklighter said, well, Pooler may outgrow Savannah. Mr. Johnson said, Pooler might but —. Commissioner Kicklighter said, 51%, it may apply to everyone. Mr. Johnson said, I mean, you know, so if that was the issue. I guess my concern is again do we have other employees that we're preparing, that we're teaching leadership to that we're saying, you know, and I think what happens is when you start working in the public trust, working for a municipal or a county organization, it makes you want to serve at a higher level and I think that sometimes we become qualified through the service you allow us to give. That's all I wanted just to point out. Thank you.

Chairman Liakakis recognized Roy Crager.

Mr. Crager said, Roy Crager from Garden City. Commissioner Shay mentioned a portion in his conversation that really concerns me, and that's getting powerful and higher level people to run for office. I can tell you that from first-hand experience that we've had some problems in Garden City of getting folks that would qualify to run for office. During this last election that we had, myself and the former mayor of Garden City, Jay Harrell, we went to all elements of Garden City just to try to get some competition going for the office of Mayor and Council, and I can tell you we tried to approach people that we thought would make a difference to the community, and I can tell you that we got no support whatsoever. Everybody ran for office without any opposition and that concerns me, ladies and gentlemen, that we will not be able to get what you would call the proper level of candidates to run for public office. I think what you're doing could penalize the community in that way. Thank you for letting me say that.

Chairman Liakakis said, thank you, Roy [Crager]. Helen [Stone]?

Commissioner Stone said, I just want to — Mr. Johnson, just to clear up one thing. I didn't so much mean that it would be a breach of confidence. I meant that there could be a conflict within. In other words, if you've got information from one side and information from another side, you're struggling to see which is in the best interest, and it could pose a conflict is how I meant that, that you were given confidential information that the average person might not be aware of, thus causing some type of internal conflict and then which side are you going to be loyal to. That was more my concern, not — I wholeheartedly believe in what you said as far as the confidentiality, a breach of that would have severe consequences. I just wanted to know that if I had information that was confidential from both sides it would be very hard sometimes to weigh it out versus not having that type of confidential information.

Commissioner Odell said, but we should put one thing in this ordinance, and that is that — I understand what Patrick Shay is saying and I agree totally, I understand what Dean [Kicklighter], Dr. Thomas, James [Holmes] are saying, and Commissioner Stone, but we need to have one thing in this ordinance that we don't have: you cannot run against one of us. I mean, let's not confuse where we are on this. You're great and good, but you can't run against us. No, on a serious side, on a serious side, Savannah is a small municipality — anything under 300,000. We have several other little municipalities, we have our people who work here, who are great people. This is an opportunity for them to serve their community. I just am very concerned about excluding them from giving back. I understand the problems that it potentially will give Russ [Abolt], and I don't want to give Russ [Abolt] any more problems, and if I was the Manager I probably would be offering this because it helps to eliminate potential conflict.

Chairman Liakakis said, okay, at the beginning we asked, you know, a vote for this and nobody made the motion, so that's over with now at this particular point. So, Patrick [Shay], you wanted to say something?

Commissioner Shay said, I just wanted to make a motion that we go into Executive Session to discuss the matters that were listed on our agenda. Chairman Liakakis said, and that was —. Commissioner Shay said, [inaudible] that we just talked about for an hour and fifteen minutes.

Commissioner Kicklighter said, to the employees who spoke, that means that it's over. Commissioner Shay said, no, it means that we're not going to take it up. Commissioner Kicklighter said, they're just not — it's over.

ACTION OF THE BOARD:

The proposed amendment to the Chatham County Personnel Ordinance and Procedures Manual, Political Activity, Article III-106, to prohibit a County employee from holding elective office **failed for lack of a motion.**

~~AGENDA ITEM: XI-2~~
~~AGENDA DATE: March 13, 2009~~

AGENDA ITEM: XII-2
 AGENDA DATE: March 27, 2009

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Michael A. Kaigler, Director
 Human Resources and Services

Issue: To adopt a proposed amendment to the Chatham County Personnel Ordinance and Procedures Manual, Political Activity, Article III-106 to prohibit a county employee from holding elective office.

Background: The County Commission has expressed its desire to amend the Chatham County Personnel Ordinance and Procedures Manual to prohibit employees from holding public office while in the employment of Chatham County. The current Personnel Ordinance and Procedure allows a County employee to be elected to a non-partisan elected office.

Facts and Findings:

1. The current Personnel Manual provides in Article III-106.2 that an employee who files for an elective partisan office shall be placed on leave without pay effective the following workday. If elected or appointed to a partisan office, the employee shall resign from employment with the County before the start of the term of office.
2. Article III-106.3 provides that in the event that placing the employee on leave without pay conflicts with federal law, such leave shall not be granted. In order to seek for a partisan office, the employee would have to effectively resign.
3. The County's present policy is silent on non partisan elections. The County Attorney's office has issued several opinions that the policy as written does not prohibit an employee from qualifying and holding a non partisan elected office while being employed by Chatham County.
4. The proposed amendment to the Personnel Ordinance and Procedures Manual prohibits County employees from holding elected office. In the event that an employee qualifies for an elected office, the employee must resign the day after the employee qualifies. Attached is a copy of the proposed change to the Chatham County Ordinance and Procedure Manual (see attachment I).
5. The proposed amendment would prohibit individuals who currently hold elective office from working for County Government until that individual resigns from that elective office.
6. Currently, there are four County employees who hold elected office. The proposed amendment would allow these employees to continue to serve in their respective positions and be re-elected to that office. It precludes them from seeking a different office. If they are not re-elected and seek a different office or seek re-election to the same office in the future, they would be subject to the new provisions of Article III-106.2.

Funding: No additional funding required.

Alternatives:

1. Adopt proposed amendment to the personnel ordinance and procedures manual, Article III-106, political activity (attachment I).

- 2. Adopt the proposed amendment to the personnel ordinance and procedures manual, Article III-106, political activity (attachment I) with modification.
- 3. Provide staff with other direction.

Policy Analysis:

State and Federal law provides that among the rights of citizens of this state is the right to hold elective office unless disqualified by the Constitution and laws. The proposed amendment places reasonable restrictions on the right of County employees to seek public office. The proposed amendment seeks to balance the rights of employees to seek public office versus the Government's interest to maintain order, discipline and efficiency in the workplace.

Recommendation:

The Board adopt Alternative 1.

Attachment#1

Proposed Amendment of Chatham County Personnel Ordinance & Personnel Procedures Manual

Sections III-106.1, 106.2 and 106.3 of the Chatham County Personnel Ordinance and Personnel Procedures Manual shall be deleted, and in its place the following language shall be used:

III-106.1 An employee, regardless of employment status, shall give written notice of candidacy for an elective office, or appointment to a vacancy in an elective office at the time of either qualifying for said elective office, or acceptance of an appointment to an elective office.

Section III-106.2 of the Chatham County Personnel Ordinance and Personnel Procedures Manual shall be deleted, and in its place the following language shall be used:

III-106.2 An employee who files and/or qualifies for an elective office shall resign from County employment at the time of qualifying for said elective office or acceptance of an appointment to an elective office.
a. If an elected official has made application for County employment and is subsequently hired by the County, said elected official shall be required to resign from elective office prior to their official start date with the County. Failure to do so will result in termination from County employment.

Section III-106.3 of the Chatham County Personnel Ordinance and Personnel Procedures Manual shall be deleted, and in its place the following language shall be used:

III-106.3 An incumbent candidate for the Office of Tax Commissioner, Clerk of Superior Court, Coroner, Judge, Sheriff, or District Attorney and other County employees who are incumbents in elective offices shall be allowed to continue their County employment, without resigning, as long as they remain incumbents in the elective office in which they are serving.

This amendment shall be effective as _____.

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XIII. INFORMATION ITEMS

- 1. **PROGRESS REPORT ON GENERAL FUND CONTINGENCY ACCOUNT - M&O AND THE SPECIAL SERVICE DISTRICT (SEE ATTACHED).**

ACTION OF THE BOARD:

A status report was attached as information.

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2. LIST OF PURCHASING ITEMS BETWEEN \$2,500 AND \$9,999 (SEE ATTACHED).

ACTION OF THE BOARD:

A status report was attached as information.

AGENDA ITEM: XIII-2
AGENDA DATE: March 27, 2009

List of Purchasing Items between \$2,500 and \$9,999
That Do Not Require Board Approval

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|--------------------------------------------------------------------------------------------|---------------------------------------|--------------------------------------------------|---------------|------------------------------------------------------------------------------------------------|
| Re-key locks, master keys and cylinders for District Attorney's office | Facilities Maintenance and Operations | Bradley Lock & Key (Sole Source) | \$2,500 | CIP - Facilities Maintenance and Operations |
| Two (2) touchpads and one (1) console for scoreboard | Aquatic Center | Colorado Time Systems, Inc. (Sole Source) | \$5,505 | General Fund/M&O - Aquatic Center |
| Annual maintenance on Go To My PC software licenses | I.C.S. | Citrix | \$3,876 | General Fund/M&O - Various |
| Annual maintenance on Go To My PC software licenses | I.C.S. | Citrix | \$3,544 | •General Fund/M&O - Various •SSD - Public Works •Building Safety and Regulatory Services |
| Two (2) Dell computers for Detention Center | I.C.S. | Dell Marketing (State Contract) | \$2,664 | General Fund/M&O - Detention Center |
| One (1) 25-yard glass recycling container | Public Works and Park Services | Consolidated Disposal Systems, Inc. | \$7,500 | Solid Waste Restricted |
| Five (5) Dell computers for Detention Center | I.C.S. | Dell Marketing (State Contract) | \$6,660 | General Fund/M&O - Detention Center |
| 3-Day on-site training on mainsaver software | I.C.S. | JB Systems Inc. | \$4,800 | General Fund/M&O - Facilities Maintenance and Operations |
| Mailing of April 2009 tag renewals | Tax Commissioner | World Marketing | \$4,750 | General Fund/M&O - Tax Commissioner |
| 42 automated meter reading systems for pilot program | Public Works and Park Services | Delta Municipal Supply | \$7,476 | Water and Sewer |
| Airtractor propeller overhaul | Mosquito Control | Sensenich Propeller Service, Inc. | \$4,608 | General Fund/M&O - Mosquito Control |
| 1500 storage boxes | Administrative Services | Creative Packaging, Inc. | \$2,670 | General Fund/M&O - Administrative Services |
| Computer switch, cables and interface module for Sheriff's Department and Detention Center | I.C.S. | Dell Marketing (State Contract) | \$7,389 | •General Fund/M&O - Sheriff •General Fund/M&O - Detention Center |
| Programming of telephone systems and upgrades | I.C.S. | Integrated Network Solutions, Inc. (Sole Source) | \$2,607 | General Fund/ M&O - Communications |
| Provide roadside vegetation control from April - September 2009 | Public Works and Park Services | Naturchem, Inc. | \$8,100 | SSD - Public Works |

| <u>ITEM</u> | <u>DEPT.</u> | <u>SOURCE</u> | <u>AMOUNT</u> | <u>FUNDING</u> |
|-----------------------------------------------------------------|--------------------------------|-----------------------------------------|---------------|-----------------------------------------|
| 24 picnic tables for Lake Mayer, Tom Triplett and Runaway Parks | Public Works and Park Services | Jamestown Advanced Products Corporation | \$7,788 | General Fund/M&O - Parks and Recreation |
| Furnish and install carpet for four (4) offices | Detention Center | Eckards Flooring Design Center | \$2,717 | General Fund/M&O - Detention Center |
| 500 tons of asphalt millings | Public Works and Park Services | ABC Crushing (Sole Source) | \$9,000 | SSD - Public Works |

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3. ROADS AND DRAINAGE REPORTS.

Action of the Board:

Status reports were attached as information.

AGENDA ITEM: XIII-3 Roads
AGENDA DATE: March 27, 2009

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A.G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County road projects.

BACKGROUND: Project prioritization as promised by the former GDOT Commissioner for January 2009 was not finalized. Projects statewide appear to be moving forward under the Interim Commissioner. The State Transportation Improvement Program (STIP) and priorities for transportation funding under the American Recovery and Reinvestment Act (ARRA) are being developed.

FACTS AND FINDING:

1. Truman Parkway, Phase 5. Certification of right of way (ROW) was submitted to the GDOT on December 3, 2008. The Final Field Plan Review (FFPR) was held March 11, 2009. The GDOT intends to solicit bids for a construction contract on July 17, 2009.

2. Diamond Causeway.

a. The GDOT is pursuing a design/build contract in FY 2009 to construct a two lane high level bridge over Skidaway Narrows to replace the bascule bridge.

b. On July 25, 2008 the Board approved a contract to construct a traffic signal with turn lanes at State Park Road and to widen the roadway to Lake Street. Estimated completion date is April 2009.

3. Whitefield Avenue. Right of way acquisition is underway affecting 81 properties. Expect to certify ROW in March 2010. Funding for construction in the STIP is 2011.

4. Local Roads.

a. Troy Street, Catherine Street, Adeline Street, Billings Road, Elmhurst Road, Beechwood Road, Ridgewood Road. Dirt roads being designed for paving. Billings Road easement acquisitions underway.

b. Bond Avenue, Betran Avenue. Board approved award of construction contract for Betran on February 27, 2009. Estimated completion in May 2009. Bid opening for a contract to pave Bond Avenue is scheduled for April 15.

c. Brandy Road. Award of a construction contract is pending Board approval.

d. Pyeland Avenue. Final right of way and construction plans are complete. Easement acquisition is underway. Expect to solicit bids for a construction contract in April 2009.

e. Wright Avenue and Fenwick Avenue. Under design.

f. Intersection improvements on Chatham Parkway at Veterans Parkway and Garrard Avenue. Being designed to install traffic signals at the interchange on Veterans Parkway and at the intersection of Garrard.

g. Intersection improvements on King George Blvd at Grove Point Road. Being designed to install turn lanes and signalize the intersection. Construction plans complete. ROW acquisitions are underway.

RECOMMENDATION: For information.
Districts: All

AGENDA ITEM: XIII-3 *Drainage*
AGENDA DATE: March 27, 2009

TO: Board of Commissioners

THRU: R. E. Abolt, County Manager

FROM: A. G. Bungard, P.E., County Engineer

ISSUE: To provide information on the status of Chatham County drainage projects.

BACKGROUND: For awarded construction contracts, this report provides the latest scheduled completion dates. For projects pending environmental permits, start dates are best estimates. Project scopes include varying degrees of canal widening, bank stabilization, bridges and culverts.

FACTS AND FINDING:

1. Pipemakers Canal. The Pipemakers Canal extends from Bloomingdale to the Savannah River (over 13 miles). The project includes canal widening, bank stabilization, sluice gates and culverts. Construction of the sluice gate structure and channel improvements from SR 21 to the Savannah River (about 1.4 miles) was completed in 2005. Designs of canal improvements downstream from the Airport to SR21 are complete. The wetland credits will be purchased upon approval of a new mitigation bank. No construction can proceed until mitigation credits have been purchased. Staff is considering a project to improve operation and maintenance of the sluice gate structure.

2. Hardin Canal. The Hardin Canal extends from Bloomingdale to Salt Creek near US 17 (over 12 miles). The project includes canal widening, bank stabilization, bridges and culverts. Several years of delay resulted from objections by the US Fish and Wildlife Service. A project to replace culverts under SR 307 with bridges is designed. Right of way acquisition is underway. A project to replace golf cart bridges between I-16 and Southbridge Boulevard is pending acquisition of drainage easements.

3. Conaway Branch Canal. The Conaway Canal extends from Bloomingdale at US 80 to Pipemakers Canal (about 1.6 miles). The project includes canal widening, bank stabilization and larger culverts. Except for revisions to comply with changes in State laws on soil erosion and water quality, the design is complete. Negotiations are complete to secure the final parcel of right of way for the project. Staff is continuing work on the project which will include relocating several public utility systems.

4. Little Hurst Canal. Improvements consist of constructing a new culvert under the railroad east of SR 21. Work is underway to acquire easements and rights of way, and to acquire permits for construction. Design will commence after accomplishing these tasks.

5. Wilmington Park Canal. The Wilmington Park Canal extends from North Cromwell Road to the Wilmington River (about 1.4 miles). The project includes canal widening, bank stabilization and culverts. Construction of new culverts with tide gates at Wilmington Island Road was completed in 2002. Bids were opened on February 18, 2009 for a project to widen and stabilize the channel in the area of Wilmington Island Road. Award of a construction contract is pending Board approval.

6. Kings Way Canal. The Kings Way Canal extends from the Kingswood Subdivision to Whitefield Avenue (about 0.7 mile). The project includes canal widening, bank stabilization and culverts. Phase 1 was completed in 2005 as a part of the construction of Truman Parkway. Phase 2 is under construction and is scheduled to be complete by May 2009.

7. Dundee Canal. This project improves the tidegate structure and concrete headwalls. The project is under construction and was scheduled for completion by March 2009. Unforeseen site conditions required additional work. A contract change order for the additional work and a time extension was approved by the Board on February 27, 2009.
8. Louis Mills / Redgate Canal. The Louis Mills and Redgate Canals are tributaries to the South Springfield Canal. This project was combined with the Westlake project to replace the culverts under CSX railroad. Staff is working to repackage the project for construction of channel improvements without the culvert under the railroad.
9. Ogeechee Farms Area. The Ogeechee Farms project includes improvements to canals and culverts. Phase 1 was completed in July 2005 (piped in about 0.2 mile of channel south of Vidalia Road and replaced a road crossing at Waynesboro Road). Design is underway on Phase 2 which includes improving several undersized culverts along the Vidalia Canal south of Vidalia Road.
10. Chevis Canal. The Chevis Canal project includes improvements to the drainage culvert at the Hodges Air Park located approximately 3600 feet downstream of Chevis Road. The improvements will double the existing drainage capacity. A construction contract was approved by the Board on February 13, 2009. Construction is scheduled to begin in April 2009.
11. Fawcett Canal. The Fawcett Canal serves the Georgetown area. The drainage system includes a network of open channels, culverts and storm drain pipes. Lagoons managed by the homeowners association are a functional part of the system. Phase 1 (completed in 2002) involved about 1.4 miles of canal widening and new tide gates at Grove Point Road. Improvements to the lagoons were completed in 2005. A project to replace storm drain pipes along Red Fox Drive to relieve flooding at White Hawthorn Drive is undergoing inspection for substantial completion.
12. Quacco Canal. The Quacco Canal extends from the Little Ogeechee River to the Regency Mobile Home Park (about 4 miles). The project includes canal widening, bank stabilization, culverts, and providing access for maintenance. Completed work includes enlarging the US 17 culvert. Staff is negotiating with the contractor to establish the extent of additional construction costs. Design to improve road culverts along Quacco Road and construct channel improvements to protect the Regency Mobile Home park is complete. Right of way acquisition is complete. Staff is developing a project scope for extending drainage improvements to the Willow Lakes Subdivision.
13. Norwood Drainage Outfalls. The project will improve drainage capacity and access for maintenance. Four outfalls along Norwood, between Skidaway Road and Lester Avenue are being considered for improvements. Preliminary design work is underway for one outfall.
14. Henderson/Gateway. Drainage is provided by the Little Neck Canal and the Henderson Branch Canal (combined length about 2 miles). Development of the subdivisions led to increased rates and volumes of storm water runoff which the canals cannot handle. Design is underway to replace culverts at Little Neck Road, at Henderson Oaks Drive and at a golf path crossing.
15. Shipyard-Beaulieu Area. The project will be accomplished in phases. The first phase of work will be to replace the storm drain pipe at Beaulieu Avenue. There appears to be adequate existing easements. Work to complete the final design for this improvement is underway.
16. Grange Road Canal. The project to relieve flooding extends from Pipemakers Canal to north of Grange Road (about 1.8 miles). The original concept identified the need for an outfall to the Savannah River within the unopened right of way of Grange Road. In 2007, the GPA requested that the right of way be abandoned for a container berth expansion. Staff is coordinating the County's needs for drainage improvements with GPA's needs to expand.
17. Kim Street Drainage. A small project directed toward improving drainage in the Grays Subdivision. The southern portion of the subdivision relies on roadside drainage ditches along U.S. 80. Preliminary design and coordination with GDOT is complete. Staff has contacted the affected property owner to secure a temporary easement required to construct the project.

RECOMMENDATION: For information.

Districts: All

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4. MONTHLY STATUS REPORT ON NEW RECREATION RESOURCES (RAP).

A status report was attached as information.

AGENDA ITEM: XIII-4
AGENDA DATE: March 27, 2009

TO: Board of Commissioners
THRU: R. E. Abolt, County Manager
FROM: Robert Drewry Director, Public Works and Park Services
ISSUE: Provide Board a status update on RAP

BACKGROUND:

At the Board's request, staff has developed a Recreational Action Plan (RAP) that best utilizes the additional funds allocated to Parks and Recreation. It is staff's overall commitment to improve the visibility of the recreation facilities and the quality of recreational programs for the citizens of this community.

FACTS AND FINDINGS:

1. FY 06 staff was able to accomplish the following:
 - In-house renovation of Lake Mayer's Restrooms
 - Installed new infield mix for Ambuc Park, L. Scott Stell, and Charlie Brooks Park
 - Installed new backstop and foul line fencing for Ambuc Park
 - Hired nine Maintenance Workers
 - Replaced the scoreboards at Ambuc, L. Scott Stell, and Charlie Brooks Park
 - Replaced all roofs at Memorial Stadium
 - Purchased three new vehicles
 - Purchased material for the renovation of the restroom at Ambuc Park
 - Painted the exterior of the concession stand at L. Scott Stell, and Ambuc Park
 - Contracts were awarded to replace the roof on the large pavilion at Lake Mayer, and reconstruct/resurface eighteen tennis courts
2. FY 07 staff completed the following:
 - All eighteen tennis courts were renovated or re-constructed.
 - Tom Triplett Park Bridge is completed
 - Frank W. Spencer Boat Ramp - Renovation is completed and the restrooms were re-opened
3. FY 08 staff completed the following:
 - Westlake Neighborhood Park - Playground Equipment installation is completed.
 - Lamarville Neighborhood Park - Playground Equipment installation is completed.
 - Salt Creek Complex - Playground Equipment installation is completed.
 - Replacement of the pavilion at Grey's Subdivision is completed
 - Replacement of the pavilion at Runaway Point Park is completed
 - Replacement of the fence at Memorial Stadium is completed.
 - Repaired bridges at L. Scott Stell that connects park with playground/picnic area.
 - Replacement of light wiring for tennis courts at Lake Mayer is completed.
 - Kings Ferry Pavilions Roofs were completed the end of July.
 - Ambuc Sports Lighting - Installation of new lights is now completed.
 - Installation of the playground equipment at Hodges -Turner-Young is completed.
4. FY 09 staff completed the following:
 - Renovated the former offices into a new Community Center and opened for use on January 16, 2009.
 - Resurfacing of the basketball court at Hodge-Turner-Young is completed
5. Status of CIP project recently approved by the Board:
 - Fred Thompson has been assigned as Project Manager to manage CIP projects for Park Services.

- Turners Creek Boat Ramp parking lot paving - Engineering is currently working with a consultant for design.
- Kings Ferry Park Restroom - Construction began on 3/2/09
- Thunderbolt Boat ramp - A request has been submitted to the Army Corps of Engineers to make extensive repairs to the boat ramp.

6. RAP improvements identified in Park Services operating budget for FY 08.

- Jim Golden Complex backstop replacement -Field layout provided by Chain Baseball and an engineer was hired to revise the plans to bid out. Fred Thompson is preparing bid packages with the intent of making improvements before mid March.
- Change water source at the Soccer Complex - Design completion is pending.

FUNDING:

N/A

RECOMMENDATION:

For Board Information Only

[All Districts]

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EXECUTIVE SESSION

Upon motion being made by Commissioner Shay and seconded by Commissioner Odell the Board recessed at 11:12 a.m. to go into Executive Session for the purpose of discussing litigation and land acquisition.

Following adjournment of the Executive Session, the meeting of the Board of Commissioners was reconvened at 11:35 a.m.

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ITEMS FROM EXECUTIVE SESSION

1. REQUEST BOARD CONSIDER SETTLEMENT OF CONDEMNATION CASES INVOLVING B & L EXPRESS, INC., AND PADGETT (JON HART).

ACTION OF THE BOARD:

Commissioner Gellatly moved to approve settlement in the amount of \$380,000 of the following condemnation cases: *Chatham County vs. 0.18 Acres of Land, B & L Express, Inc.*, Civil Action No. CV05-0546-MO, and *Chatham County vs. 0.17 Acres of Land, James Padgett and Richard M. Padgett*, Civil Action No. CV05-0544-MO, and *Chatham County vs. 0.11 Acres of Land, James Padgett and Richard M. Padgett*, Civil Action No. CV05-0545-MO, in the Superior Court of Chatham County, Georgia. Commissioner Odell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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2. REQUEST BOARD CONSIDER SETTLEMENT OF GDOT/MORGAN TRACT MEDIATION SETTLEMENT (JON HART).

ACTION OF THE BOARD:

Commissioner Thomas moved to approve the settlement of GDOT/Morgan Tract mediation settlement in the amount of \$355,000. Commissioner Farrell seconded the motion and it carried unanimously. [NOTE: Commissioner Kicklighter was not present.]

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- 3. REQUEST BOARD APPROVE A MOTION TO AUTHORIZE THE CHAIRMAN TO EXECUTE AN AFFIDAVIT THAT THE EXECUTIVE SESSION WAS HELD IN COMPLIANCE WITH THE OPEN MEETINGS ACT.

ACTION OF THE BOARD:

Commissioner Shay moved to approve a motion to authorize the Chairman to execute an Affidavit that the Executive Session was held in compliance with the Open Meetings Act. Commissioner Odell seconded the motion and it carried unanimously.

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ADJOURNMENT

There being no further business to be brought before the Commissioners, the Chairman declared the meeting adjourned at 11:40 a.m.

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APPROVED: THIS _____ DAY OF _____, 2009

 PETE LIAKAKIS, CHAIRMAN, BOARD OF
 COMMISSIONERS OF CHATHAM COUNTY, GEORGIA

 SYBIL E. TILLMAN, CLERK OF COMMISSION